

Extra Ordinary Part-V / 2014

Extra No.	Date	Department
Extra No.1	14-02-2014	Legislative & Parliamentary Affairs Department
Extra No.2	19-02-2014	Legislative & Parliamentary Affairs Department
Extra No.3	25-02-2014	Legislative & Parliamentary Affairs Department
Extra No.4	26-02-2014	Legislative & Parliamentary Affairs Department
Extra No.5	23-06-2014	Legislative & Parliamentary Affairs Department
Extra No.6	23-06-2014	Legislative & Parliamentary Affairs Department
Extra No.7	24-06-2014	Legislative & Parliamentary Affairs Department
Extra No.8	25-06-2014	Legislative & Parliamentary Affairs Department
Extra No.9	25-06-2014	Legislative & Parliamentary Affairs Department
Extra No.10	27-06-2014	Legislative & Parliamentary Affairs Department
Extra No.11	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.12	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.13	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.14	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.15	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.16	17-07-2014	Legislative & Parliamentary Affairs Department
Extra No.17	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.18	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.19	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.20	18-07-2014	Legislative & Parliamentary Affairs Department

Extra No.	Date	Department
Extra No.21	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.22	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.23	18-07-2014	Legislative & Parliamentary Affairs Department
Extra No.24	25-07-2014	Legislative & Parliamentary Affairs Department
Extra No.25	21-10-2014	Legislative & Parliamentary Affairs Department
Extra No.26	28-10-2014	Legislative & Parliamentary Affairs Department
Extra No.27	28-10-2014	Legislative & Parliamentary Affairs Department
Extra No.28	28-10-2014	Legislative & Parliamentary Affairs Department
Extra No.29	28-10-2014	Legislative & Parliamentary Affairs Department
Extra No.30	29-10-2014	Legislative & Parliamentary Affairs Department

Extra No. 1



सत्यमेव जयते

REGISTERED NO. L 2/RNP/G/GNR-84
वार्षिक दवाजमनो दर रु. 3000/-

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FRIDAY, FEBRUARY 14, 2014/MAGHA 25, 1935

Separate paging is given to this Part in order that it may be filed as a Separate Compilation

PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT PRIVATE UNIVERSITIES (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 1 OF 2014.

A BILL

further to amend the Gujarat Private Universities Act, 2009.

Guj. 8 of 2009.

WHEREAS the Institute for Technology and Management (ITM Group), Mumbai had applied to the State Government under the provisions of the Gujarat Private Universities Act, 2009 to establish a Private University in the State;

AND WHEREAS the said application has been scrutinized by the Scrutiny Committee and on the report of Scrutiny Committee, the State Government has issued the letter of intent to the sponsoring body for establishment of the Private University;

AND WHEREAS the State Government is satisfied that the sponsoring body has complied with the conditions of letter of intent as provided in section 10 of the said Act and has also established the Endowment Fund as per the letter of intent;

NOW, THEREFORE, the Government of Gujarat, in accordance with the provisions of section 10 of the said Act, includes the institution specified in column 2 of the Schedule as the Private University, by the name, location and jurisdiction, of the aforesaid sponsoring body as specified in column 4 of the Schedule.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Private Universities (Amendment) Act, 2014.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of Schedule to Guj. 8 of 2009.

2. In the Gujarat Private Universities Act, 2009, in the Schedule, after the entry at serial No. 13, the following entry shall be inserted, namely:-

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number.	Sponsoring Body.
1.	2.	3.	4.
"14.	ITM Vocational University, Near Ajwa Garden, Ajwa-Nimeta Road, Village Rawal, Waghodia, Dist.- Vadodara.	Registered under section 25 of the Companies Act, 1956 Registration No. U80903GJ2012 NPL072025 Ahmedabad. Dated : 19/09/2012	Institute for Technology and Management (ITM Group), Mumbai. Platinum Techno Park, Sector-30A, Vashi, Navi Mumbai-400705."

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Private Universities Act, 2009 (Guj. 8 of 2009) to provide for establishment of Private Universities in the State so as to provide for qualitative and industry relevant higher education and to regulate their functions under which in all thirteen Private Universities have been established so far.

The State Government has received proposal from Institute for Technology and Management (ITM Group), Mumbai for establishment of the ITM Vocational University, at Waghodia, Dist. Vadodara. Gujarat as the Private University. The said proposal has been considered by the State Government and since the said sponsoring body has complied with the provisions of the Act, it is considered necessary to include the name of said University in the Schedule to the Act, thereby conferring it the status of Private University.

This Bill seeks to amend the said Act to achieve the aforesaid object.

BHUPENDRASINH CHUDASAMA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves the delegation of legislative power in following respect :-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Gandhinagar,

BHUPENDRASINH CHUDASAMA.

Dated the 13th February, 2014.

By order and in the name of the Governor of Gujarat,

Gandhinagar,

ARVIND AGARWAL,

Dated the 14th February, 2014

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT REPEALING BILL, 2014.

GUJARAT BILL NO. 2 OF 2014.

A BILL

to repeal certain obsolete Acts.

WHEREAS it is expedient to repeal certain obsolete Acts.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Repealing Act, 2014.
2. The Acts specified in the Schedule are hereby repealed.

Short title.

Repeal of
certain Acts.

SCHEDULE*(See section 2)*

Year	Citation	Short title of the Act
1890	Bom. V 1890.	The Gujarat Municipal Servants Act, 1890.
1965	Guj. 26 of 1965.	The Gujarat Local Authorities (Emergency Provisions) Act, 1965.

STATEMENT OF OBJECTS AND REASONS

The following Acts which were enacted for the limited purposes are still on the statute book and the continuity of the said Acts does not appear necessary and therefore are required to be repealed.

1. The Gujarat Municipal Servants Act, 1890 was enacted to make provisions in the erstwhile Greater Bombay State for enforcement of regulations regarding certain class of municipal servants connected with the services of public health and safety as also provisions relating to their duties, withdrawal from duties and leave of such servants. The aforesaid Act was applicable to the Municipal Corporations and Municipalities of the State. The Gujarat Provincial Municipal Corporations Act, 1949 and the Gujarat Municipalities Act, 1963 provide for the services and duties of the officers and employees of the Municipal Corporations and the Municipalities respectively. Hence, the provisions of the Gujarat Municipal Servants Act, 1890 are of no use at present.

2. The Gujarat Local Authorities (Emergency Provisions) Act, 1965 was enacted during the emergency arisen on account of aggression by Pakistan and therefore it was not possible to hold general elections or bye-elections of various Local Authorities in the State of Gujarat. In the said circumstances, the power was taken to extend the term of the office of the councilors or the term of the Local Authorities of the State upto 30th June, 1967 as also filling up of casual vacancies by nominations by the State Government or an officer not below the rank of Collector authorised in that behalf by the State Government. The aforesaid Act was applicable to the local authorities such as municipal corporations, municipalities, panchayats and local boards of the State.

The provisions of the Act were purely for a temporary period and had no effect beyond 30th June, 1967 and hence the continuity of the Act on the Statute does not appear necessary.

This Bill seeks to repeal the said Acts to achieve the aforesaid object.

Gandhinagar,
Dated the 19th February, 2014.

ANANDIBEN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 19th February, 2014

ARVIND AGARWAL,
Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT APPROPRIATION (VOTE ON ACCOUNT)

BILL, 2014.

GUJARAT BILL NO. 3 OF 2014.

A BILL

to authorise withdrawal of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of a part of the financial year ending on the thirty-first day of March, 2015.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation (Vote on Account) Act, 2014.
2. From and out of the Consolidated Fund of the State of Gujarat, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of forty thousand, three hundred twelve crores, fifty lakhs, forty-four thousands rupees towards defraying the several charges which will come in course of payment during the financial year 2014-2015.
3. The sums authorised to be withdrawn from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Short title.

Withdrawal of
Rs.403125044000
from and out of
the Consolidated
Fund of the State
of Gujarat for
the financial
year 2014-2015.

Appropriation

SCHEDULE
(See sections 2 and 3)

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
1	2		3		
			Rs.	Rs.	Rs.
1	Agriculture and Co-operation Department	Revenue	60925000		60925000
		Capital	2433000		2433000
2	Agriculture	Revenue	7507606000		7507606000
		Capital	32667000		32667000
3	Minor Irrigation, Soil Conservation and Area Development.	Revenue	208028000		208028000
		Capital	334333000		334333000
4	Animal Husbandry	Revenue	1201592000		1201592000
5	Co-operation	Revenue	605141000		605141000
		Capital	75834000		75834000
6	Fisheries	Revenue	503622000		503622000
		Capital	53333000		53333000
7	Other Expenditure pertaining to Agriculture and Co-operation Department.	Capital	1367000		1367000
8	Education Department	Revenue	33643000		33643000
9	Education	Revenue	58852681000	690733000	59543414000
		Capital	6846177000		6846177000
10	Other expenditure pertaining to Education Department	Revenue	5957000		5957000
		Capital	138503000		138503000
11	Energy and Petro- Chemicals Department	Revenue	15018000		15018000
12	Tax collection charges (Energy and Petro- Chemicals Department)	Revenue	66157000		66157000

13	Power Projects	Revenue	13626167000		13626167000
		Capital	4139567000		4139567000
14	Other Expenditure pertaining to Energy and Petro-Chemicals Department	Revenue	1933000		1933000
		Capital	2440267000		2440267000
15	Finance Department	Revenue	65564000		65564000
16	Tax Collection Charges (Finance Department)	Revenue	926207000		926207000
17	Treasury and Accounts Administration	Revenue	414187000		414187000
18	Pension and other Retirement Benefits	Revenue	20543073000	2052000	20545125000
19	Other expenditure pertaining to Finance Department	Revenue	14286216000		14286216000
		Capital	3767000	33000	3800000
20	Repayment of Debt pertaining to Finance Department and its Servicing	Revenue		48289248000	48289248000
		Capital		18344913000	18344913000
21	Food, Civil Supplies and Consumer Affairs Department.	Revenue	86757000		86757000
22	Civil Supplies	Revenue	639159000		639159000
23	Food	Revenue	314393000		314393000
		Capital	203268000		203268000
24	Other Expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Capital	34000		34000
25	Forests and Environment Department	Revenue	43170000		43170000
26	Forests	Revenue	1176807000	552000	1177359000
		Capital	1016312000		1016312000

27	Environment	Revenue	39200000		39200000
28	Other expenditure pertaining to Forest and Environment Department.	Capital	1533000		1533000
29	Governor	Revenue		19557000	19557000
30	Council of Ministers	Revenue	9300000		9300000
31	Elections	Revenue	2736790000		2736790000
32	Public Service Commission	Revenue	18793000	30438000	49231000
33	General Administration Department	Revenue	369490000		369490000
34	Economic Advice and Statistics	Revenue	380869000		380869000
35	Other Expenditure pertaining to General Administration Department	Revenue	63978000	3330000	67308000
		Capital	2755187000		2755187000
36	State Legislature	Revenue	83137000	1313000	84450000
37	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	1136000		1136000
38	Health and Family Welfare Department	Revenue	31859000		31859000
39	Medical and Public Health	Revenue	9803153000		9803153000
		Capital	3930567000		3930567000
40	Family Welfare	Revenue	1916980000		1916980000
		Capital	44011000		44011000
41	Other expenditure pertaining to Health and Family Welfare Department	Capital	1833000		1833000
42	Home Department	Revenue	63743000		63743000
43	Police	Revenue	9691475000		9691475000

44	Jails	Revenue	269544000		269544000
45	State Excise	Revenue	47117000		47117
46	Other Expenditure pertaining to Home Department.	Revenue	406345000	2000000	408345000
		Capital	837179000		837179000
47	Industries and Mines Department.	Revenue	49101000		49101000
48	Stationery and Printing	Revenue	197379000		197379000
49	Industries	Revenue	2973654000		2973654000
		Capital	1796250000		1796250000
50	Mines and Minerals	Revenue	452410000		452410000
		Capital	10000000		10000000
51	Tourism	Revenue	45815000		45815000
		Capital	1025000000		1025000000
52	Other Expenditure pertaining to Industries and Mines Department	Revenue	122517000		122517000
		Capital	217167000		217167000
53	Information and Broadcasting Department	Revenue	6114000		6114000
54	Information and Publicity	Revenue	295899000		295899000
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	22207000		22207000
		Capital	700000		700000
56	Labour and Employment Department	Revenue	38257000		38257000
57	Labour and Employment	Revenue	1489300000		1489300000
		Capital	293400000		293400000
58	Other Expenditure Pertaining to Labour and Employment Department	Capital	1083000		1083000
59	Legal Department	Revenue	29267000		29267000

60	Administration of Justice	Revenue	2508705000	285711000	2794416000
61	Other Expenditure pertaining to Legal Department	Revenue	189510000		189510000
		Capital	5900000		5900000
62	Legislative and Parliamentary Affairs Department	Revenue	29362000		29362000
63	Other Expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	250000		250000
64	Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	67439000		67439000
65	Narmada Development Scheme.	Capital	16980386000		16980386000
66	Irrigation and Soil Conservation	Revenue	2854650000		2854650000
		Capital	10338728000	33333000	10372061000
67	Water Supply	Revenue	308133000		308133000
		Capital	3610000000		3610000000
68	Other Expenditure pertaining to Narmada, Water Resources, Water Supply and Kalpsar Department.	Revenue		100000000	100000000
		Capital	3667000		3667000
69	Panchayats, Rural Housing and Rural Development Department	Revenue	33057000		33057000
70	Community Development	Revenue	3892116000		3892116000
71	Rural Housing and Rural Development	Revenue	4288646000	652500000	4941146000
72	Compensation and Assignments	Revenue	456440000		456440000

73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	1810790000		1810790000
		Capital	13437000		13437000
74	Transport	Revenue	2953355000		2953355000
		Capital	1346667000		1346667000
75	Other expenditure pertaining to Ports and Transport Department	Revenue	248082000		248082000
		Capital	82434000		82434000
76	Revenue Department	Revenue	119176000		119176000
77	Tax collection charges(Revenue Department)	Revenue	1201293000		1201293000
78	District Administration	Revenue	1202093000		1202093000
79	Relief on account Natural Calamities	Revenue	4144289000		4144289000
		Capital	20000000		20000000
80	Dang District	Revenue	153100000		153100000
81	Compensation and Assignment	Revenue	168975000	300000	169275000
		Capital	367000	67000	434000
82	Other expenditure pertaining to Revenue Department	Revenue	6070000		6070000
		Capital	870000		870000
83	Roads and Building Department	Revenue	51684000		51684000
84	Non-Residential Buildings	Revenue	2074481000	1867000	2076348000
		Capital	4160710000		4160710000
85	Residential Buildings	Revenue	600841000		600841000
		Capital	679569000		679569000
86	Roads and Bridges	Revenue	9261782000	13733000	9275515000
		Capital	6881500000	12667000	6894167000
87	Gujarat Capital Construction Scheme	Revenue	56058000		56058000
		Capital	729000000		729000000

88	Other expenditures pertaining to Roads and Buildings Department	Revenue	56848000	46667000	103515000
		Capital	21267000		21267000
89	Science and Technology Department	Revenue	363951000		363951000
90	Other Expenditure pertaining to Science and Technology Department	Revenue	327800000		327800000
		Capital	33233000		33233000
91	Social Justice and Empowerment Department	Revenue	20772000		20772000
92	Social security and welfare	Revenue	3342946000	5750000	3348696000
		Capital	49427000		49427000
93	Welfare of Scheduled Tribes	Revenue	813775000		813775000
		Capital	43833000		43833000
94	Other Expenditure pertaining to Social Justice and Empowerment Department	Capital	533000		533000
95	Scheduled Castes Sub-Plan	Revenue	6225035000		6225035000
		Capital	2685819000		2685819000
96	Tribal Area Sub-Plan	Revenue	16463940000	20000000	16483940000
		Capital	9480477000	20000000	9500477000
97	Sports, Youth and Cultural Activities Department	Revenue	17855000		17855000
98	Youth Services and Cultural Activities	Revenue	774362000		774362000
		Capital	35333000		35333000
99	Other expenditure pertaining to Sports, Youth and Cultural Activities Department	Capital	385000		385000
100	Urban Development and Urban Housing Department	Revenue	18280000		18280000
101	Urban Housing	Revenue	1595712000	439630000	2035342000

102	Urban Development	Revenue	20762568000		20762568000
		Capital	1833333000		1833333000
103	Compensation, Assignment and Tax Collection Charges	Revenue	460667000	100000000	560667000
104	Other Expenditure pertaining to Urban Development and Urban Housing Department	Revenue	1107000		1107000
		Capital	537000		537000
105	Women and Child Development Department	Revenue	9295000		9295000
106	Other Expenditure pertaining to Women and Child Development Department	Revenue	5302956000	2233000	5305189000
		Capital	321884000		321884000
107	Climate Change Department	Revenue	2938000		2938000
108	Other Expenditure pertaining to Climate Change Department	Revenue	365333000		365333000
	Total:	Revenue	248443963000	50707614000	299151577000
		Capital	85562454000	18411013000	103973467000
	Grand Total:		334006417000	69118627000	403125044000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of clause (2) of article 206 of the Constitution of India, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Gujarat and the grants made in advance by the Legislative Assembly in respect of the estimated expenditure for a part of the financial year ending on the 31st March, 2015.

The amounts are shown below: -		Rs.
(a)	Revenue Expenditure	299151577000
(b)	Capital Expenditure	103973467000
Total :		<u>403125044000</u>

Dated the 25th February, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,

ARVIND AGARWAL,

Dated the 25th February, 2014.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the Gujarat Government Gazette. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT (SUPPLEMENTARY) APPROPRIATION BILL, 2014.

GUJARAT BILL NO. 4 OF 2014.

A B I L L

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2014.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat (Supplementary) Appropriation Act, 2014.

Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of four thousand eighty- six crores, sixty-two lakhs, nine thousand rupees towards defraying the several charges which will come in course of payment during the financial year ending on the thirty-first day of March, 2014, in respect of the services and purposes specified in column 2 of the Schedule.

Issue of
Rs. 40866209000
from and out of the
Consolidated Fund
of the State of
Gujarat for the
financial year
2013-2014.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Appropriation.

SCHEDULE

(See sections 2 and 3)

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	2		3		
2	Agriculture	Revenue	0	602000	602000
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	2114000		2114000
5	Co-operation	Revenue	1444637000	0	1444637000
		Capital	27261000	0	27261000
8	Education Department	Revenue	700000	0	700000
9	Education	Revenue	10868357000	237000000	11105357000
		Capital	341807000	0	341807000
13	Energy Projects	Capital	3999999000	0	3999999000
14	Other expenditure pertaining to Energy and Petro- chemicals Department	Capital	2000000000	0	2000000000
19	Other expenditure pertaining to Finance Department	Capital	790000	0	790000
20	Repayment of debt pertaining to Finance Department and its services	Revenue	0	12000	12000
21	Food, Civil Supplies and Consumer Affairs Department	Revenue	31278000	0	31278000
22	Civil Supplies	Revenue	1000	1818000	1819000

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	2		3		
24	Other Expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department.	Revenue	0	1167000	1167000
26	Forest	Revenue	0	850000	850000
		Capital	43284000	0	43284000
29	Governor	Revenue	0	1000	1000
31	Election	Revenue	429735000	0	429735000
33	General Administration Department	Revenue	3000	0	3000
35	Other expenditure pertaining to General Administration Department.	Revenue	2439000	0	2439000
36	State Legislature	Revenue	11722000	0	11722000
39	Medical and Public Health	Revenue	281140000	0	281140000
40	Family Welfare	Revenue	51616000	0	51616000
42	Home Department	Revenue	46000	0	46000
43	Police	Revenue	66223000	2000	66225000
44	Jails	Revenue	252211000	0	252211000
46	Other expenditure pertaining to Home Department.	Revenue	1136147000	139000	1136286000
		Capital	20600000	0	20600000
47	Industries and Mines Department	Revenue	175000	0	175000
48	Stationery and Printing	Revenue	35496000	0	35496000
		Capital	18947000	0	18947000
49	Industries	Revenue	0	502000	502000

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	2		3		
51	Tourism	Revenue	709000	0	709000
52	Other Expenditure pertaining to Industries and Mines Department.	Revenue	0	50317000	50317000
		Capital	0	16620000	16620000
54	Information and Publicity	Revenue	362500000	0	362500000
55	Other Expenditure pertaining to Information and Broadcasting Department.	Revenue	1000	0	1000
57	Labour and Employment	Capital	377500000	0	377500000
60	Administration of Justice	Revenue	776000	25435000	26211000
61	Other expenditure pertaining to Legal Department	Revenue	4854000	0	4854000
66	Irrigation and Soil Conservation	Capital	1000	0	1000
70	Community Development	Revenue	1553751000	0	1553751000
71	Rural Housing and Rural Development	Revenue	0	4241000	4241000
72	Compensation and Assignments	Revenue	1492946000	0	1492946000
73	Other expenditure pertaining to Panchayat, Rural Housing and Rural Development Department	Revenue	1418745000	0	1418745000

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	2		3		
74	Transport	Revenue	507522000	0	507522000
		Capital	3000000000	0	3000000000
75	Other expenditure pertaining to Ports and Transport Department	Revenue	0	225000	225000
77	Tax Collection Charges (Revenue Department)	Revenue	0	455000	455000
78	District Administration	Revenue	1000	131000	132000
79	Relief on account of natural calamities.	Capital	1000	0	1000
80	Dangs District	Revenue	20168000	0	20168000
81	Compensation and Assignments	Revenue	0	871000	871000
84	Non-Residential Buildings	Revenue	268277000	2378000	270655000
		Capital	3000	0	3000
85	Residential Buildings	Revenue	25784000	0	25784000
86	Roads and Bridges	Revenue	124189000	20000000	144189000
		Capital	5093024000	10700000	5103724000
87	Gujarat Capital Construction Scheme	Revenue	3486000	0	3486000
		Capital	400000000	123308000	523308000
88	Other expenditure pertaining to Roads and Buildings Department	Revenue	13258000	449770000	463028000
89	Science and Technology Department	Revenue	149699000	0	149699000
92	Social Security and Welfare	Revenue	51793000	2000000	53793000
		Capital	14700000	0	14700000
93	Welfare of Scheduled Tribes	Revenue	174300000	0	174300000

Demand No. of Vote/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	2		3		
95	Scheduled Caste Sub-Plan	Revenue	99735000	0	99735000
		Capital	129920000	0	129920000
96	Tribal Area Sub-Plan	Revenue	28360000	50000000	78360000
		Capital	454289000	20000000	474289000
101	Urban Housing	Revenue	40000	163300000	163340000
102	Urban Development	Revenue	1574480000	0	1574480000
103	Compensation, Assignments and Tax Collection Charges.	Revenue	1050000000	0	1050000000
105	Women and Child Development Department	Revenue	150000	0	150000
106	Other expenditure pertaining to Women and Child Development Department	Revenue	222075000	600000	222675000
	Total :	Revenue	23761639000	1011816000	24773455000
		Capital	15922126000	170628000	16092754000
	Grand Total :		39683765000	1182444000	40866209000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 204 of the Constitution of India read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the supplementary expenditure on certain services and purposes in relation to the financial year ending on the thirty-first day of March, 2014.

The amounts are shown below: -

Rs.

(a)	Revenue Expenditure	24773455000
(b)	Capital Expenditure	16092754000

Total	40866209000
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Dated the 26th February, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,

Dated the 26th February, 2012.

ARVIND AGARWAL,

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT COURT-FEES (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 5 OF 2014.

A BILL

further to amend the Gujarat Court-fees Act, 2004.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Court-fees (Amendment) Act, 2014.

2. In the Gujarat Court-fees Act, 2004, in Schedule I, in Article 15, in column 3, under the heading “Fees”, for the words “One-half of the *ad-valorem* fee on the difference,”, the words “Ten per cent. of the *ad-valorem* fee on the difference,” shall be substituted.

Amendment of
Schedule I to
Guj. 4 of 2004.

Guj. 4 of
2004.

STATEMENT OF OBJECTS AND REASONS

In the States of Gujarat and Maharashtra, at present while making a reference under section 18 of the Land Acquisition Act, 1894 to the court seeking higher amount of award against the award declared by the Collector, one-half of the *ad-valorem* court fee is chargeable on the difference, if any, between the amount awarded by the Collector and the amount claimed by the applicant according to the scale prescribed under Article 1 of Schedule I subject to a minimum fee of thirty rupees under the Gujarat Court-fees Act, 2004. In all other States except Maharashtra and Gujarat, *ad-valorem* court fee is payable only when an appeal is filed against the award of the Reference Court, for seeking higher compensation and not in regard to an application for reference under section 18 of the Land Acquisition Act, 1894.

Most of the land-losers who are agriculturalists and who have this land as the only source of their livelihood and when their lands are acquired by the Government under the provisions of the Land Acquisition Act, 1894, it is observed that the compensation awarded by the Collector, in most cases, is far less than the actual market value of the land which compel such land-losers to seek references to the Civil Court. The awarded amount by the Collector comparatively being less, the requirement to pay *ad-valorem* Court fee on the reference application causes great hardship, forcing the land-losers to pay a very high amount towards the *ad-valorem* court fees.

It is, therefore, considered necessary to give appropriate relief to the land-losers by providing for ten per cent. of the *ad-valorem* fee on the difference on the application for reference instead of existing one-half of the *ad-valorem* fee.

This Bill seeks to amend the existing provision relating to *ad-valorem* fee as prescribed in Schedule I of the Gujarat Court-fees Act, 2004 to achieve the aforesaid object.

Dated the 23rd June, 2014.

PRADEEPSINH JADEJA.

By order and in the name of the Governor of Gujarat,
Gandhinagar,

ARVIND AGARWAL,

Dated the 23rd June, 2014

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Government Central Press, Gandhinagar.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT CIVIL COURTS (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 6 OF 2014.

A BILL

further to amend the Gujarat Civil Courts Act, 2005.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Civil Courts (Amendment) Act, 2014. Short title.

Guj. 21 of 2005. 2. In the Gujarat Civil Courts Act, 2005 (hereinafter referred to as "the principal Act"), in section 14, for the words "or such other sum as the High Court may, from time to time specify", the words "or such other sum as the High Court may, by notification, from time to time specify" shall be substituted.

Amendment of section 14 of Guj. 21 of 2005.

Insertion of
new section
14A in Guj. 21
of 2005.

3. In the principal Act, after section 14, the following section shall be inserted, namely: -

Transfer of
pending cases.

"14A. All suits and proceedings of a civil nature wherein the subject matter exceeds in amount or value of two lakhs rupees but does not exceed the value or amount as may be specified by the High Court, by notification, from time to time under section 14, pending in a Court of Senior Civil Judge shall, after such specification by notification, stand transferred to and be disposed of by a Civil Judge within the local limits of his ordinary jurisdiction."

Amendment of
section 15 of
Guj. 21 of 2005.

4. In the principal Act, in section 15, in sub-section (2), in clause (a), for the words "or such other sum as the High Court may, from time to time specify", the words "or such other sum as the High Court may, by notification, from time to time specify" shall be substituted.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT TENANCY AND AGRICULTURAL LANDS (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 7 OF 2014.

A BILL

*further to amend the Gujarat Tenancy and Agricultural Lands
Act, 1948.*

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Tenancy and Agricultural Lands (Amendment) Act, 2014.

Short title.

Bom. LXVII of
1948.

2. In the Gujarat Tenancy and Agricultural Lands Act, 1948, after section 70, the following section shall be inserted, namely :-

Insertion of new
section 70A in
Bom. LXVII of
1948.

Regularisation of
certain sale of land.

“70A. In case where a person is or was declared as a permanent tenant under section 70 by the Mamlatdar and Agricultural Lands Tribunal and subsequently on the basis of such order sale or more than one sale in respect of the land in question has taken place and if thereafter the order declaring a person as the permanent tenant is found not in accordance with law, then, the

Collector, on an application made by the present occupant in this regard, shall, subject to other provisions of this Act or any other law for the time being in force, proceed to impose the restrictions of section 43 of this Act in respect of such land and shall, after levying rupee one as the penalty and in consideration of payment of such amount as may be determined by the State Government by general or special order from time to time, pass an order regularising such sale, subject to such conditions as may be specified by him.”.

STATEMENT OF OBJECTS AND REASONS

Section 70 of the Gujarat Tenancy and Agricultural Lands Act, 1948, provides for the duties and functions of the Mamlatdar. Clause (o) of the said section 70 of the Act empowers the Mamlatdar to decide such other matters as may be referred by the State Government to him by or under the said Act. It is under the provisions of section 70 that the Mamlatdar decides whether a person is a permanent tenant or not. It sometimes so happens that where an order is passed by the Mamlatdar declaring a person as a permanent tenant and on basis of such order sale or more than one sale in respect of the land in question has taken place and thereafter the order passed by the Mamlatdar declaring a person as a permanent tenant is found not in accordance with law, then, the present occupant, he being a *bona fide* purchaser of the said land, has to face undue hardship for no fault of his. To remove such undue hardship, it is considered necessary to regularise such sale of land in question subject to other provisions of the said Act or any other law for the time being in force, by levying rupee one as penalty and such amount in the form of premium as may be determined by the State Government from time to time.

New section 70A proposed to be inserted in the said Act provides for the same.

This Bill seek to amend the said Act to achieve the aforesaid object.

Dated the 24th June, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,

Dated the 24th June, 2014.

ARVIND AGARWAL,

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the
Gujarat Government Gazette. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under
the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE GUJARAT AGRICULTURAL UNIVERSITIES (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 8 OF 2014.

A BILL

further to amend the Gujarat Agricultural Universities Act, 2004.

It is hereby enacted in the Sixty-fifth Year of the Republic of
India as follows:-

1. This Act may be called the Gujarat Agricultural Universities
(Amendment) Act, 2014.

Short title.

Guj. 5 of
2004.

2. In the Gujarat Agricultural Universities Act, 2004, (hereinafter
referred to as "the principal Act"), in section 3, in sub-section (4), for
clause (d), the following clause shall be substituted, namely :-

Amendment
of section 3
of Guj. 5 of
2004.

"(d) the Sardar Krushinagar Dantiwada Agricultural
University shall be at Sardar Krushinagar."

Amendment
of section 8
of Guj. 5 of
2004.

3. In the principal Act, in section 8, for clause (vii), the following clause shall be substituted, namely :-

“(vii) the Comptroller.”.

Amendment
of section 10
of Guj. 5 of
2004.

4. In the principal Act, in section 10, -

(1) in sub-section (4), in the proviso, in clause (a), for the words “sixty-five years”, the words “seventy years” shall be substituted;

(2) in sub-section (6), for the portion beginning with the words “the Director of Research” and ending with the words “the Vice-Chancellor”, the following shall be substituted, namely :-

“the Vice-Chancellor of any Agricultural University or the Director of Research and Dean of Post-graduate Studies or any of the Deans of any Faculty, for the purpose, shall carry on current duties of the office of the Vice-Chancellor.”.

Amendment
of section 18
of Guj. 5 of
2004.

5. In the principal Act, in section 18, in sub-section (1),-

(1) under the heading “Class I – *Ex-officio Members*”,-

(a) in clause (iv), the words “or an officer not below the rank of Deputy Secretary of that Department, designated by the Secretary” shall be added at the end;

(b) after clause (viii), the following clause shall be inserted, namely:-

“(ix) one Director, to be nominated by the Vice-Chancellor from amongst the Director of Research and Dean of Post-graduate Studies or the Director of Extension Education.”;

(2) under the heading “Class II – *Ordinary Members*”,-

(a) for the words “Five persons”, the words “Seven persons” shall be substituted;

(b) in clause (a), after sub-clause (iii), the following sub-clauses shall be inserted, namely :-

“(iv) one eminent woman social worker having experience in rural development;

(v) one distinguished agro-industrialist.”.

6. In the principal Act, in section 20, in sub-section (1), for clause (xxxi), the following clause shall be substituted, namely :-

Amendment
of section 20
of Guj. 5 of
2004.

“(xxxi) to make provision relating to use of English as medium of instruction and examination for Diploma, Degree and Post-graduate programmes and use of Gujarati as medium of instruction and examination for certificate courses;”.

7. In the principal Act, in section 25,-

Amendment
of section 25
of Guj. 5 of
2004.

- (1) in sub-section (1), after clause (a), the following clause shall be inserted, namely :-

“(a-i) the Minister of State for Agriculture and the Deputy Minister for Agriculture, Government of Gujarat, *ex-officio*,”;

- (2) in sub-section (2), in the proviso to clause (a), for the words “Deputy Minister”, the words “Minister of State or Deputy Minister” shall be substituted.

8. In the principal Act, in section 26,-

Amendment
of section 26
of Guj. 5 of
2004.

- (1) in sub-section (1), for the words “an Agriculture Research Organisation”, the words “a Research Council” shall be substituted;

- (2) in sub-section (2),-

(a) for the words “The Agricultural Research Organisation”, the words “The Research Council” shall be substituted;

(b) for clause (a), the following clause shall be substituted, namely :-

“(a) The Vice-Chancellor, who shall be the Head of the Council,”;

(c) in clause (d), for the word “Organisation”, the word “Council” shall be substituted;

(d) after clause (d), following clause shall be inserted, namely :-

“(e) the Director of Research and the Dean of Post-graduate Studies, who shall be the Secretary of the Council.”;

- (3) in sub-section (3), for the words “The Agricultural Research Organisation”, the words “The Research Council” shall be substituted;

- (4) in the marginal note, for the words "Agricultural Research Organisation", the words "Research Council" shall be substituted.

Amendment
of section 27
of Guj. 5 of
2004.

9. In the principal Act, in section 27, -

- (1) in sub-section (1), for the words "Agricultural Extension Education Organisation", the words "Extension Education Council" shall be substituted;

(2) in sub-section (2),-

- (a) for the words "The Agricultural Extension Education Organisation", the words "The Extension Education Council" shall be substituted;

(b) for clause (a), the following clause shall be substituted, namely:-

"(a) the Vice-Chancellor, who shall be the Head of the Council";

(c) in clause (c), for the word "Organisation", the words "the Council" shall be substituted;

(d) after clause (c), the following clause shall be inserted, namely:-

"(d) the Director of Extension Education, who, shall be the Secretary of the Council";

(3) in sub-section (3), for the words "The Agricultural Extension Education Organisation", the words "The Extension Education Council" shall be substituted.

Amendment of
section 40 of
Guj. 5 of 2004.

10. In the principal Act, in section 40, sub-section (2) shall be deleted.

Amendment of
section 41 of
Guj. 5 of 2004.

11. In the principal Act, in section 41, in sub-section (1), the words "including tutors and demonstrators" shall be deleted.

Amendment of
section 50 of
Guj. 5 of 2004.

12. In the principal Act, in section 50,-

(1) in sub-section (1),-

(a) for the words "a college", the words "the University" shall be substituted;

(b) for the words “the Vice-Chancellor”, occurring at two places, the words “the Board of Management” shall be substituted;

(2) in sub-section (2), in clause (b), for the words “the Vice-Chancellor” occurring at two places, the words “the Board of Management” shall be substituted.

13. In the principal Act, for the existing Schedule I, the following shall be substituted, namely:-

Amendment
of Schedule I
to Guj. 5 of
2004.

“SCHEDULE I

(See clause (20) of section 2)

UNIVERSITY AREA

PART I	
THE ANAND AGRICULTURAL UNIVERSITY	
1	Anand District
2	Ahmedabad District
3	Vadodara District
4	Dahod District
5	Panchmahal District
6	Kheda District
7	Mahisagar District
8	Chhotaudepur District
9	Botad District
PART II	
THE JUNAGADH AGRICULTURAL UNIVERSITY	
1	Amreli District
2	Bhavanagar District
3	Jamnagar District
4	Junagadh District
5	Porbandar District
6	Rajkot District
7	Surendranagar District
8	Morbi District
9	GirSomnath District
10	Devbhumi-dwarka District
PART III	
THE NAVSARI AGRICULTURAL UNIVERSITY	
1	Bharuch District
2	Dang District
3	Narmada District
4	Navsari District
5	Surat District
6	Valsad District
7	Tapi District
PART IV	
THE SARDARKRUSHINAGAR DANTIWADA AGRICULTURAL UNIVERSITY	
1	Banaskantha District
2	Gandhinagar District
3	Kutch District
4	Mehsana District
5	Patan District
6	Sabarkantha District
7	Arvalli District.”

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Agricultural Universities Act, 2004 where under in all four Agricultural Universities have been established at Anand, Junagadh, Navasari and Dantiwada. The Indian Council of Agricultural Research has prepared a Model Act for Agricultural Universities in India. In this connection, the Central Government has suggested all the State Governments to incorporate the provisions of the Model Act in their existing Agricultural University Acts in order to bring uniformity in running of the administration of the Agricultural Universities.

It is, therefore, considered necessary to amend some of the existing provisions of the said Act and accordingly it is intended to carry out certain amendments among others in respect of the appointment of the Vice-Chancellor, the person who would perform duties in the absence of the Vice-Chancellor, addition of members in the Board of Management, establishment of the Research Council and the Extension Education Council in place of the Agricultural Research Organisation and the Agricultural Extension Education Organisation, respectively. Schedule I to the said Act is proposed to be substituted by a new Schedule I, as a result of creation of new districts thereby specifying the area of each University.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

Dated the 24th June, 2014.

BABUBHAI BOKHIRIA.

By order and in the name of the Governor of Gujarat,

Arvind Agarwal.

Gandhinagar,
Dated the 25th June, 2014.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE GUJARAT TAXATION LAWS (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 9 OF 2014.

A BILL

further to amend certain taxation laws.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Taxation Laws (Amendment) Act, 2014. Short title.
2. Each of the Acts specified in the second column of the Schedule shall be amended in the manner and to the extent specified against it in the third column thereof. Amendment of certain taxation laws.

SCHEDULE

Sr. No.	Short title	Extent of Amendment.	
1	2	3	
1.	The Gujarat State Tax on Professions, Trades, Callings and Employments Act, 1976. (President's Act No. 11 of 1976)	Insertion of new section 17A in President's Act No. 11 of 1976. Tax to be first charge on property.	In the Gujarat State Tax on Professions, Trades, Callings and Employments Act, 1976, after section 17, the following section shall be inserted, namely :- "17A. Notwithstanding anything to the contrary contained in any law for the time being in force, any amount payable by a person on account of tax, interest or penalty for which he is liable to pay to the Government, shall be a first charge on the property of such person."
2.	The Gujarat Entertainments Tax Act, 1977. (Guj. 16 of 1977)	Insertion of new section 19A in Guj. 16 of 1977. Tax to be first charge on property.	In the Gujarat Entertainments Tax Act, 1977, after section 19, the following section shall be inserted, namely :- "19A. Notwithstanding anything to the contrary contained in any law for the time being in force, any amount payable by a proprietor or any other person on account of tax, interest or penalty for which he is liable to pay to the Government, shall be a first charge on the property of such proprietor or, as the case may be, such person."

3.	The Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977. (Guj. 24 of 1977)	Insertion of new section 8AA in Guj. 24 of 1977. Tax to be first charge on property.	In the Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977, after section 8, the following section shall be inserted, namely :- "8AA. Notwithstanding anything to the contrary contained in any law for the time being in force, any amount payable by a proprietor or any other person on account of tax, interest or penalty for which he is liable to pay to the Government, shall be a first charge on the property of such proprietor or, as the case may be, such person."
4.	The Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001. (Guj. 22 of 2001)	Insertion of new section 16A in Guj. 22 of 2001. Tax to be first charge on property.	In the Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001, after section 16, the following section shall be inserted, namely :- "16A. Notwithstanding anything to the contrary contained in any law for the time being in force, any amount payable by a person on account of tax, interest or penalty for which he is liable to pay to the Government, shall be a first charge on the property of such person."

STATEMENT OF OBJECTS AND REASONS

It is well settled law that sovereign debts or outstanding dues of the State Government are given priority over other debts. Citizens are bound to pay statutory debts before they pay their dues to other creditors. The statutory dues have priority over the dues of secured creditors if there is a provision in the particular Statute.

The Gujarat State Tax on Professions, Trades, Callings and Employments Act, 1976, the Gujarat Entertainments Tax Act, 1977, the Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977 and the Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001 do not have any provision which creates statutory first charge on the amount payable by a proprietor or by a person, as the case may be, on account of tax, interest or penalty which he is liable to pay to the State Government and, therefore, dues recoverable under the said Acts shall have preference over the unsecured dues but not over the secured dues. It is, therefore, considered necessary to create a statutory first charge on the dues to be payable to the State Government by a proprietor or by a person under the said Acts. By creating the first charge on the property of such proprietor or person, as the case may be, dues recoverable under the said Acts shall have priority over the secured debts. A new section 17A in the Gujarat State Tax on Professions, Trades, Callings and Employments Act, 1976, a new section 19A in the Gujarat Entertainments Tax Act, 1977, a new section 8AA in the Gujarat Tax on Luxuries (Hotels and Lodging Houses) Act, 1977, and a new section 16A in the Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001 are, therefore, proposed to be inserted.

This Bill seeks to amend the said Acts to achieve the aforesaid object.

Dated the 25th June, 2014.

SAURABH PATEL.

By order and in the name of the Governor of Gujarat,

Arvind Agarwal.

Gandhinagar,
Dated the 25th June, 2014.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 10 OF 2014.

A BILL

furtherto amend the Gujarat Town Planning and Urban Development Act, 1976.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Town Planning and Urban Development (Amendment) Act, 2014.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

President's Act No. 27 of 1976.

2. In the Gujarat Town Planning and Urban Development Act, 1976 (hereinafter referred to as "the principal Act"), in section 2, after clause (x), the following clause shall be inserted, namely:-

Amendment of section 2 of President's Act No. 27 of 1976.

"(x-a) "development right" means a right to develop the land or building or both on any land to be acquired under section 20 to the extent as may be decided in the development plan;"

Amendment of
section 6 of
President's Act
No. 27 of 1976.

3. In the principal Act, in section 6, in sub-section (2), -
- (a) for the words "set up", the word "have" shall be substituted;
- (b) for clauses (i) to (iv), the following clauses shall be substituted, namely:-
- "(i) the President of the local authority, to be the Chairman, *ex-officio*;
- (ii) the President of the executive committee of the local authority;
- (iii) four members of the local authority, to be nominated by it.
- (iv) the Chief Town Planner or his representative, to be nominated by the State Government;
- (v) one official of the State Government, to be nominated by the State Government, *ex-officio*;
- (vi) the Chief Officer of the local authority, who shall be the Member-Secretary."

Amendment of
section 6B of
President's Act
No. 27 of 1976.

4. In the principal Act, in section 6B,-
- (1) in sub-section (1), after the words "appropriate authority", the words "other than the Urban Development Authority" shall be inserted;
- (2) to sub-section (2), the following proviso shall be inserted, namely:-
- "Provided that, the Collector shall not exercise any power in the matters pertaining to the order, resolution or decision of any area development authority under section 29 of this Act;"

Amendment of
section 12 of
President's Act
No. 27 of 1976.

5. In the principal Act, in section 12, -
- (1) in sub-section (1), after the words "draft development", the words "which would be in conformity with the development plan under the provisions of the Gujarat Metropolitan Planning Committee Act, 2008" shall be inserted;
- (2) in sub-section (2),-
- (i) in clause (a),-

Guj. 18 of 2008

- (a) after the word "commercial", the word "educational," shall be inserted;
- (b) the words "or such other purposes" shall be added at the end;
- (ii) in clause (c), after the words "natural reserves", the words "water body, water course" shall be inserted;
- (iii) in clause (h), the words "and of heritage buildings and heritage precincts" shall be added at the end;
- (iv) in clause (m), for the words "including imposition of", the words "including imposition of charges at such rate as may be provided for grant of Floor Space Index (FSI) or height, and also imposition of" shall be substituted and shall be deemed to have always been substituted with effect from 18th May, 2002.
6. In the principal Act, in section 14, for the words "may modify such plan as he thinks fit", the words "and then shall submit the same to the State Government alongwith his or its opinion on such objections or suggestions" shall be substituted. **Amendment of section 14 in President's Act No. 27 of 1976.**
7. In the principal Act, section 15 shall be deleted. **Deletion of section 15 of President's Act No. 2 of 1976.**
8. In the principal Act, in section 16,-
- (1) in sub-section (1), the words and figures "with the modifications, if any, made thereto under section 14 or section 15" shall be deleted; **Amendment of section 16 of President's Act No. 27 of 1976.**
- (2) in sub-section (2), the words and figures "or section 15" shall be deleted.
9. In the principal Act, in section 20, for sub-section (1), the following sub-section shall be substituted, namely:- **Amendment of section 20 of President's Act No. 27 of 1976.**
- "(1) The area development authority or any other authority for whose purpose land is designated in the final development plan for any purpose specified in clause (b), clause (d), clause (f), clause (k), clause (n) or clause (o) of sub-section (2) of section 12, may acquire the land,-
- (a) by an agreement, or;
- (b) in lieu of any development right by granting the owner against the area of land surrendered free of cost and free from all encumbrances;

- (c) under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”.

30 of 2013.

Amendment of
section 23 of
President's Act No.
27 of 1976.

10. In the principal Act, in section 23, in sub-section (1),-
- (1) after clause (ii), the following clause shall be inserted, namely :-
- “(ii-a) to undertake the preparation and execution of Local Area Plan under the provisions of this Act, if so directed by the State Government;
- (2) after clause (ix), the following clause shall be inserted, namely:-
- “(ix-a) to levy and collect such fees or charges for the execution of works and for provision of other services and amenities as specified in the Local Area Plan.”.

Amendment of
section 35 of
President's Act No.
27 of 1976.

11. In the principal Act, in section 35,-
- (1) in sub-section (1), in clause (d), for the words "five thousand rupees", the words "fifty thousand rupees" and for the words "one hundred rupees", the words "one thousand rupees" shall be substituted;
- (2) in sub-section (2), for the words "one thousand rupees", the words "ten thousand rupees" and for the words "one hundred rupees", the words "one thousand rupees" shall be substituted.

Amendment of
section 36 of
President's Act
No. 27 of 1976.

12. In the principal Act, in section 36, in sub-section (6), for the words "five thousand rupees", the words "fifty thousand rupees" and for the words "one hundred rupees", the words "one thousand rupees" shall be substituted.

Amendment of
section 40 of
President's Act
No. 27 of 1976.

13. In the principal Act, in section 40, -
- (1) for sub-section (1), the following sub-section shall be substituted, namely :-

“(1) Subject to the provisions of this Act or any other law for the time being in force, the appropriate authority may make one or more town planning schemes for the development area regard being had to the proposals in the final development plan and the directions issued by a general or special order by the State Government from time to time, if any:

Provided that the State Government may in this behalf direct by specific or general order to make town planning scheme to the concerned authority:

Provided further that where any town planning scheme is not made for any specific area, the owners of the lands of such area may make a proposal to the concerned authority to make a town planning scheme.”;

(2) in sub-section (3) -

(a) in clause (e), for the word “reservation”, the word “earmarked” shall be substituted;

(b) in clause (j), the words “and of such other class of people as may be determined by the State Government” shall be added at the end;

(c) in clause (jj), in sub-clause (a), in item (iii), for the words “Draft Town Planning Scheme, and” the words “Draft Town Planning Scheme and also for industrial development, and” shall be substituted.

14. In the principal Act, in section 48, in sub-section (2), the following shall be inserted at the end, namely:-

Amendment of
section 48 of
President's Act
No. 27 of 1976.

“However, the State Government may, if deemed fit, by notification in the *Official Gazette*, return the scheme to the appropriate authority to carry out such modifications as may be directed, including the direction to include or exclude any land in question in the scheme. The appropriate authority shall comply with the directions of the State Government and shall, after following the procedure as laid down under sub-section (1) or sub-section (2) or both of section 42, submit the scheme within the specified time limit to the State Government.”.

15. In the principal Act, in section 50, in proviso to sub-section (1), for the words “date of publication of draft scheme”, the words “date of declaration of intention” shall be substituted.

Amendment of
section 50 of
President's Act
No. 27 of 1976.

16. In the principal Act, in section 51,-

Amendment of
section 51 of
President's Act
No. 27 of 1976.

(1) in the proviso, after the words “period or periods”, the words “but not exceeding six months” shall be inserted;

(2) after the existing proviso, the following proviso shall be inserted, namely :-

"Provided further that in respect of those draft town planning schemes wherein the Town Planning Officer has been appointed on or before the date of commencement of the Gujarat Town Planning and Urban Development (Amendment) Act, 2014, such period shall be extended from time to time as the State Government may by general or special order, specify, but not exceeding the period of eighteen months in aggregate from the commencement of the said Act."

Guj. * of
2014.

Amendment of
section 65 of
President's Act No.
27 of 1976.

17. In the principal Act, in section 65, after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) The appropriate authority shall, after the preliminary scheme is sanctioned by the State Government under sub-section (2), complete the execution of such scheme within a period of two years from the date of the sanction of such scheme, failing which the State Government may take such actions against appropriate authority as it deems fit."

Insertion of new
section 67A in
President's Act
No. 27 of 1976.

18. In the principal Act, after section 67, the following section shall be inserted, namely:-

Manner of
resolution of
grievances after
sanctioning
scheme.

"67A. (1) In case where the final plot is allotted in joint ownership in the sanctioned preliminary or final scheme, then on application being made to the Committee by any of the joint owners, the Committee constituted under sub-section (2) shall give a notice to all the concerned and after giving them an opportunity of being heard, shall with respect to such final plot define the share of the joint holders and demarcate the area that may be allotted to each of them.

(2) The committee shall consist of the following members, namely:-

- (i) the Secretary, Urban Development and Urban Housing Department, shall be the Chairman;
- (ii) the Chief Town Planner, - Member Secretary, *ex-officio*; and
- (iii) any other member, appointed by the Chairman.

(3) The decision of the Committee in this regard shall be deemed to be the part of the scheme sanctioned under section 65."

19. In the principal Act, after Chapter V, the following Chapter shall be inserted, namely:-

Insertion of new Chapter V-I in President's Act No. 27 of 1976.

**“CHAPTER V-I
SPECIAL PROVISIONS FOR LOCAL AREA PLAN**

76A. (1) Subject to the provisions of this Act or any other law for the time being in force, the appropriate authority may make one or more Local Area Plan for the development area or any part thereof, regard being had to the proposals in the final development plan, if any.

Preparation, sanction, etc. of local area plan.

(2) The Local Area Plans may be made in respect of any land which is a part of the sanctioned preliminary scheme or not. However, before making the Local Area Plan, the appropriate authority shall publish in the *Official Gazette*, the boundaries of area for which the Local Area Plan is to be made and in the local newspapers:

Provided that for making the Local Area Plan in respect of any land which is not a part of the sanctioned preliminary scheme, the prior permission of the State Government shall be necessary.

(3) The Local Area Plan may provide provisions for any of the following matters, namely:-

- (a) define and provide for the complete road and street pattern for the present and in the future and indicate the traffic circulation;
- (b) lay down in detail the projected road and street furniture;
- (c) access, make projection for the future requirements of amenities, services and utilities such as transport, electricity, water, drainage, plantation and land scape;
- (d) prescribe in detail the foot print, height and building envelope, control over architectural features including elevation and frontage, numbers of stories, size of buildings, courtyard, pickup and drop off points, entry points to the basement, parking and such other requirement to integrate the building envelope in the vicinity;
- (e) indicate the phasing of the program of development and the cost of development and the share to be paid by each owner or the beneficiary;
- (f) access the cost of works to be provided by the appropriate authority and the contribution of fees to be paid by different owners;

- (g) make such provisions as are necessary which are enumerated in clause (m) of sub-section (2) of section 12;
 - (h) indicate in the plan and other document, the land which shall vest with the appropriate authority.
- (4) The appropriate authority, after making the draft Local Area Plan, shall-
- (a) for the purpose of making the Local Area Plan call a meeting or meetings of the persons affected by the Local Area Plan, by a public notice and notices to the individuals whose addresses are known, and explain the contents of the Local Area Plan for inviting their objections and suggestions on the said proposal.
 - (b) consider the objections and suggestions received under sub-clause (a), and modify the plan as it thinks fit and publish it in the *Official Gazette*, inviting objections and suggestions from the person affected by the Local Area Plan within a period of thirty days.
- (5) The appropriate authority may consider the objections and suggestions received under clause (b) of sub-section (4) and modify the plan if necessary and thereafter, the same shall be submitted to the State Government along with the objections and suggestions; and its conclusion thereon.
- (6) On receipt of the draft Local Area Plan under sub-section (5), the State Government may, by notification,-
- (a) sanction such local area plan with or without modification or subject to such conditions as it may think fit to impose; or
 - (b) return the plan to the appropriate authority with directions as it may think fit; or
 - (c) refuse to accord sanction.”.

Insertion of new
section 91A in
President's Act
No. 27 of 1976.

20. In the principal Act, after section 91, the following section shall be inserted, namely:-

Establishment of
Consolidated
Infrastructure
Fund.

“91A. (1) Notwithstanding anything contained in this Act and the rules or regulations made thereunder, any amount received towards development charge and fees collected under clause (vii-a) of sub-section (1) of section 7, or under clause (m) of sub-section (2) of section 12, or fees collected under clauses (vi-a) and (ix-a) of sub-section (1) of section 23, as the case may be, shall be credited to a fund called the “Consolidated Infrastructure Fund” which shall be held by the appropriate authority in the trust for the purposes of augmentation, improvement or creation of any infrastructure facility.

(2) The State Government, may by specific or special order, may utilise the fund in such proportion as it may think fit for any of the purposes provided under sub-section (1).”.

21. In the principal Act, in section 100, in the proviso to sub-section (2), for the words “fifty thousand rupees”, the words “ten lakhs rupees” and for the words “fifteen rupees”, the words “one hundred rupees” shall be substituted.

Amendment of section 100 of President's Act No. 27 of 1976.

22. In the principal Act, after section 116, the following section shall be inserted, namely :-

Insertion of new section 116A in President's Act No. 27 of 1976.

“116A. (1) Notwithstanding anything contained in this Act or any other law for the time being in force or rules or regulations made thereunder, if the State Government is of the opinion that it is necessary in public interest to make any variation in any of the matters provided under clause (m) of sub-section (2) of section 12 in any development plan, it shall publish such variations in the *Official Gazette*, inviting suggestions or objections from public in respect of such variations, within a period of two months from the date of such publication.

Variation in matters contained in clause (m) of sub-section (2) of section 12.

(2) The State Government may, after considering such suggestions and objections, received under sub-section (1), if any, sanction the variation with or without modifications and publish the same by notification in the *Official Gazette*, and direct that such variation shall come in force **on and from** the date of its publication in the *Official Gazette*.”.

23. In the principal Act, after section 117, the following section shall be inserted, namely:-

Insertion of new section 117A in President's Act No. 27 of 1976.

“117A. In respect of the land which is included in the scheme sanctioned under section 65, the provisions of section 65 of the Gujarat Land Revenue Code, 1879, in so far as obtaining the permission of the Collector for the use of the agricultural land into any non-agriculture purpose is concerned, shall be applicable as per general or specific orders of the State Government made in this behalf.”.

Application of provisions of section 65 of Gujarat Land Revenue Code, 1879.

Bom.V of 1879.

24. In the principal Act, in section 118, in sub-section (2), in clause (vi), the words and figures “section 15 or under” shall be deleted.

Amendment of section 118 of President's Act No. 27 of 1976.

STATEMENT OF OBJECTS AND REASONS

The Gujarat Town Planning and Urban Development Act, 1976 was enacted by the State Government about thirty-eight years ago for the purpose of making and execution of development plan and town planning schemes in the State. The present Act does not provide for re-development of areas where a need arises for these areas to be more compact and organized. It is also necessary that the cities are developed in a planned manner and they become well organized and compact. It is expedient and necessary to have some mechanism for the planned development of such areas.

It is, therefore, considered necessary to make provisions for declaration and execution of the local area plans by the appropriate authority. It is also considered necessary to make provisions for redressal of the issue in case where the final plot is allotted in joint ownership in the sanctioned preliminary or final scheme. It is also considered necessary to make a provisions to the effect that in respect of the land which is included in the scheme sanctioned under the said Act, the provisions of section 65 of the Gujarat Land Revenue Code, 1879 in so far as the obtaining the permission of Collector, for the use of the agricultural land into any non-agricultural purpose shall be applicable as per the general or specific order of the State Government. An opportunity is also taken to carry out certain consequential amendments in the relevant provisions of the said Act.

This Bill seeks to amend the said Act to achieve the aforesaid objects. Following notes on clauses explain, in brief, the important provisions of the Bill:-

Clause 3.- Under the existing provisions of section 6, the Planning Committee is to be set up by the Local authority. It is proposed to amend section 6 by this clause to set up the Planning Committee under the provisions of Act itself instead of by local authority.

Clause 4.- Under the existing provision of section 6B, the Collector is empowered to make an order in respect of any resolution passed by the appropriate authority. It is proposed to dispense with the power of Collector to pass an order with respect to any decision of the appropriate authority made under section 29 of the Act.

Clause 5.- The existing provisions of the Act, does not specifically provide for imposition of charges for grant of FSI or height but since the same was are levied as provided under the GDCR, it is

proposed to levy the said charges with effect from 18th May, 2002. This clause provides for the same.

Clauses 6 to 8.- The existing provisions of sections 13 to 16 provide for preparation of the draft development plan and its publication by the appropriate authority under section 13. The modifications carried out with respect to any objections and suggestions are required to be published under section 15. Consequently, the appropriate authority is required to submit the draft development plan under section 16 after considering the objections received under section 15. It is proposed to amend the said sections 14 and 16 and delete section 15 of the Act so that the appropriate authority may directly submit the development plan under section 16 for sanction without publishing the same under section 15.

Clause 9.- Sub-section (1) of section 20 of the Act, proposed to be substituted by this clause provide for the different modes for acquiring the land.

Clauses 11 and 12.- Sections 35 and 36 of the Act intended to amend to revise the penalty for unauthorized development and for removal of unauthorized development, etc.

Clause 13.- Section 40 does not provide for the power of State Government to give directions to the appropriate authority to prepare the town planning scheme for the development area or any part thereof. It is therefore proposed to amend the said section to empower the State Government to give directions to the appropriate authority to prepare the town planning scheme. It also provides that the owners of the lands of such area can also make a proposal to make a town planning scheme, where no town planning scheme is made.

Clause 14.- The existing provision of section 48 does not provide for the power of the State Government to return the scheme to the appropriate authority. It is proposed to amend sub-section (2) of said section to **empower / to take power** to the State Government to return scheme to the appropriate authority with the directions to carry out modification, exclude or include the land of the scheme and to comply the same within the specified time given by it. The proposed amendment empowers the State Government to return the scheme to the appropriate authority for carrying out such modifications as may be directed.

Clause 18.- New section 67A proposed to be inserted in the Act provides for provides for the constitution of committee and procedure to resolve the grievance in case where final plot is allotted in joint ownership.

Clause 19.- It is proposed to insert a new Chapter V-I so as to make provisions for preparation of one or more local area plan for the development area or any part thereof. The proposed amendment provides for the content, manner of preparation and sanctioning of the local area plan.

Clause 20.- New section 91A proposed to be inserted in the Act provides for establishment of 'Consolidated Infrastructure Fund' for augmentation, improvement or creation of infrastructure projects which are to be undertaken by the agencies other than the appropriate authority. The fees collected under sections 7, 12, and 23 shall be credited to this Fund.

Clause 21.- Sub-section (2) of section 100 of the Act proposed to be amended to provide for the revised rates of development charges.

Clause 22.- New section 116A proposed to be inserted in the Act empowers the State Government in public interest, to make any variation in any of the matters provided under clause (m) of sub-section (2) of section 12 in any development plan.

Clause 23.- New section 117A proposed to be inserted in the Act provides that in respect of the land which is included in the scheme sanctioned under section 65, the provisions of section 65 of the Gujarat Land Revenue Code, 1879, in so far as obtaining the permission of the Collector for the use of the agricultural land into any non-agriculture purpose is concerned, shall be applicable as per general or specific orders of the State Government.

NITIN PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in the following respects :-

Clause 1.- Sub-clause (2) of this clause empower the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 22. Sub-section (2) of section 116A proposed to be inserted by this clause empowers the State Government to sanction, by notification in the *Official Gazette*, the variation with respect to the matters provided in clause (m) of sub-section (2) of section 12 relating to development plan.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Dated the 27th June, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 27th June, 2014.

ARVIND AGARWAL,
Principal Secretary
to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART - V

Bill to be introduced in the Gujarat Legislative Assembly

The Following Bill Which Was introduced on the 17th July, 2014 by
Shri Balvantsinh Rajput M.L.A. is published under rule 127-A of the Gujarat
Legislative Assembly Rules for general information.

GUJARAT BILL NO. 11 OF 2014.

THE GUJARAT PROHIBITION OF RAGGING BILL, 2014.

A BILL

*to prohibit ragging in educational institutions in the State of Gujarat and
for matters connected therewith.*

WHEREAS, it is expedient to enact a special law to prohibit ragging in
educational institutions in the State of Gujarat ;

It is hereby enacted in the Sixty-Fifth Year of Republic of India as
follows :-

1. (1) This Act may be called the Gujarat Prohibition of Ragging Act, 2014.
- (2) It extends to the whole of the State of Gujarat.
- (3) It shall come into force on such date as the State Government may by
notification in the *Official Gazette*, appoint.

Short title,
extent and
Commence-
ment.

Definitions.

2. In this Act, unless the context otherwise requires,-

- (a) "educational institution" means and includes a College, or other Institution by whatever name called, carrying on the activity or imparting education therein (either exclusively or among other activities); and includes an orphanage or a boarding home or hosted or a tutorial institution or any other premises attached thereto;
- (b) "head of the educational institution" means the Vice-Chancellor of the University, Dean of the Medical faculty, Director of the Institution, or the Principal, Headmaster or the person responsible for the management of the institution;
- (c) "ragging" means display of disorderly conduct, doing any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes.-
 - (i) teasing, abusing, threatening or playing practical jokes on, or causing hurt to, such student; or
 - (ii) asking a student to do any act or perform something which such student will not, in the ordinary course, willingly do.

Prohibition of ragging.

3. Ragging within or outside any educational institution is an offence punishable under this Act.

Penalty for ragging.

4. Any person who directly or indirectly commits, participates in, abets or propagates ragging within or outside any educational institution shall, on conviction, be punished with imprisonment for a term which may extend to two years and shall also be liable to a fine which may extend to ten thousand rupees:

Dismissal of student.

5. Person who is convicted under Section 4, is a student, he shall be dismissed from the educational institution and such student shall not be admitted in any other educational institution for a period of five years from the date of order of such dismissal.

6. (1) Whenever any student or, as the case may be, the parent or guardian, or a teacher of an educational institution complains, in writing of ragging to the head of the educational institution, the head of the educational institution shall without prejudice to the foregoing provisions, within seven days of the receipt of the complaint inquire in to the matter mentioned in the complaint and if, prima-facie, it is found true, suspend the student who is accused of the offence, and shall, immediately forward the complaint to the Police-Station having jurisdiction over the area in which the educational institution is situated, for further action.

(2) Where, on inquiry by the head of the educational institution, It is proved that there is no substance, prima-facie, in the complaint received under sub-section (1), he shall intimate the fact, in writing, to the complainant.

(3) The decision of the head of the educational institution that the student has indulged in ragging under sub-section (1), shall be final.

7. If the head of the educational institution fails or neglects to take action in **Deemed** the matter specified in section 6 when a complaint of ragging is made, such person **abatement.** shall be deemed to have abetted the offence of ragging and shall, on conviction, be published as per the provisions of section 4.
8. (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act. **Power to make rules.**
- (2) Rules made under this Section shall be laid before the State Legislature for a period of thirty days as soon as possible after they are made and shall be subject to such modifications or rescission as the State Legislature may make during the session in which they are so laid or the session immediately following.
- (3) Any modification or rescission so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.

Gandhinagar.
Dated the 25th June, 2014.

BALVANTSINH RAJPUT
M. L. A.

STATEMENT OF OBJECTS AND REASONS

In recent year there has been a significant increase in the complaints of ragging in educational institutions. Ragging is a stigma on the educational institutions and it should be nipped in bud. Ragging causes physical or psychological harm or raise fear or shame to a student in any educational institution. It is, therefore expedient in the educational institutions interest to device Legislative measure.

Hense this Bill.

Gandhinagar.
Dated the 25th June, 2014.

BALVANTSINH RAJPUT
M. L. A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub clause (3) of clause (1) empowers the State Government to specify the date on which the Act shall come into force.

Sub clause (1) of clause (8) empowers the State Government to make rules to carry out the purposes of the Act.

The delegation of Legislative powers as aforesaid is essential and of normal character.

Gandhinagar.
Dated the 25th June, 2014.

BALVANTSINH RAJPUT
M. L. A.

Gandhinagar.
Dated the 17th July, 2014.

D. M. PATEL
Secretary,
Gujarat Legislative Assembly.



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PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

The Following Bill Which Was introduced on the 17th July, 2014 by Shri Balvantsinh Rajput M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

GUJARAT BILL NO. 12 OF 2014.

THE GUJARAT EMPLOYMENT GUARANTEE Bill, 2014.

A BILL

to make effective provision for securing the right to work by guaranteeing employment to all persons who volunteer to do skill or unskilled work in the State of Gujarat.

It is hereby enacted in the Sixty Fifth year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Employment Guarantee Act, 2014.

Short title
extent and
commencement

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires,—

- (a) "adult person" means a person who has attained the age of eighteen years;
- (b) "the Committee" means the District Employment Guarantee Committee constituted under section 5;
- (c) "the Controller" means the Controller of Unemployment appointed under section 6-;
- (d) "the Council" means the Gujarat State Employment Guarantee Council constituted under section 4;
- (e) "implementing agency" includes any department of the State Government, local body or the State Government undertaking which is entrusted by the State Government with the task of implementing any works taken up under the scheme.
- (f) "implementing officer" means the officer appointed by the implementing agency in consultation with the Controller to perform any of the powers or the duties of the implementing agency ;
- (g) "local areas" means the area falling within the jurisdiction of a local body;
- (h) "local body" means a municipal corporation, a municipality, a panchayat or a cantonment established under any law for the time being in force;
- (i) "prescribed" means prescribed by rules made under this Act;
- (j) "scheme" means the Employment Guarantee Scheme prepared and published under section 7 for the time being in force.

Guarantee of employment to audit persons

3. Every adult person in the State of Gujarat shall have a right to work, that is, a right to get guaranteed employment for doing skilled or unskilled work, as the case may be, and to receive wages therefore in accordance with provisions of this Act and the scheme made thereunder.

Explanation.—A work shall be regarded as unskilled, if any adult person, without any special training, can normally be expected to do it and which, is so classified in the Scheme.

State Council and its functions

4. (1) For the purposes of having a periodical review and supervision of the implementation of this Act, there shall be a Council to be called the Gujarat State Employment Guarantee Council. The State Government shall appoint the Chairman and other members of the Council. The number of other members of the Council shall not exceed thirty one, of whom at least, three members shall be appointed from members belonging to the Scheduled Castes, three members from the Scheduled Tribes and three members from women.

(2) The other function of the Council shall be to advise the State Government on all matters concerning this Act and the scheme and their implementation.

(3) The Council shall be competent to undertake an evaluation of the scheme and for this purpose collect or cause to be collected statistics pertaining to the economy of Gujarat in general and the socio-economic conditions of the people, and the implementation of the scheme in particular.

(4) It shall also be competent for the Council to recommend to the State Government the appointment of one or more Study Groups for undertaking a study of specific questions and problems connected with the implementation of this Act and the scheme.

(5) The Council shall co-ordinate the working of the district employment guarantee committees.

5. (1) The State Government shall constitute a District Employment Guarantee Committee in every district. Each Committee shall consist of *ex-officio* and nominated members by the State Government as under:—

Committees
and their
functions.

(A) *Ex-officio members*

- (i) A Commissioner of Municipal Corporation, if any, in the district;
- (ii) Presidents of municipalities in the district;
- (iii) President and Vice-President of the District Panchayat;
- (iv) Presidents of Taluka Panchayats in the district;
- (v) Collector of the district

(B) *Nominated members*

- (i) Three members to be nominated from persons associated with Small Scale Industries in the district;
- (ii) two members to be nominated who, in the opinion of the State Government are expert in industrial management;
- (iii) two members from the labour leaders;
- (iv) two members from any registered union of the agricultural labourers;
- (v) two members from Adivasis, if the area is predominantly the area of Adivasi;
- (vi) two members from the persons belonging to backward classes;
- (vii) two members from the women.

(2) The term of nominated members shall be of three years.

(3) The Chairman of every such Committee shall be appointed from the non-official members thereof.

(4) This Committee shall, within their respective jurisdiction supervise and review the implementation of the scheme from time to time and shall suggest to the State Government and the Council such steps as in their opinion, are necessary for the more effective implementation of this Act.

(5) The Committee shall co-ordinate the working of the implementing agencies in the district.

Controller of
employment
and his
functions.

6. (1) The Government shall appoint a Controller of Employment for every district.

(2) The Controller shall be responsible for the implementation of the provisions of this Act and for this purpose all other officers of the State Government and the local bodies in the district shall be responsible to the Controller;

Preparation
and
publication of
scheme

7. (1) For the purpose of giving effect to the Employment Guarantee scheme as mentioned in section 3, the State Government shall prepare and publish scheme for providing employment to all adult persons who volunteer to do skilled or unskilled work, subject to the conditions laid down by or under this Act or in the scheme.

(2) Every Controller shall be asked to prepare blue print of the works to be taken up under the scheme in the district

(3) The Controller shall place the blue print for approval before the Committee which shall give its approval after taking into consideration the views of the implementing agencies in the district

(4) the scheme shall be prepared and published in such manner and contain such details as may be prescribed.

Registration.

8. The Controller shall constitute Registering Authorities in the district for registration of name and addresses of unemployed persons who volunteer to work. The places of registration of names shall be within the proximity of 10 kms. of every person. The registering authorities shall function in such manner as may be prescribed.

Conditions
applicable for
guaranteed
employment
to able
bodied
persons.

9. (1) Every unemployed adult person who is residing in any local area within the State and willing to do any skilled or unskilled work may get his name and address registered with an authority constituted under Section 8. The registering authority shall register the name and address of such persons after making such inquiry as it deems fit. The registration shall be for such period as may be fixed by the State Government and may be renewed from time to time. The registering authority, if satisfied, that any person has got himself registered by making a false declaration of his age, may after giving reasonable opportunity to the person concerned of being heard, delete his name from the register.

(2) Where there is no able bodied adult member in a family, a minor member of such family who has attained the age of 15 years shall be deemed to be an adult person for the purposes of this Act and shall be entitled to get registered his name and address with the registering authority and shall be entitled to get work or unemployment allowance in lieu thereof

Explanation.—For the purpose of this sub-section the expression 'family' means a husband, wife, father, mother, brother, sister, son and daughter residing together.

(3) Every registered person shall be entitled to be provided with employment within fifteen days from the date of registration. The employment to be provided shall be, as far as possible, within the local area in which he resides, and it shall be suitable to him looking to his educational qualifications, experience and physical condition.

(4) If within fifteen days from the date of registration of a person the State Government is unable to provide employment to him, he shall be entitled to receive from the Employment Guarantee Fund an unemployment allowance from the date of expiry of 15 days, at the rate of Rs. 45/- per day. The unemployment allowance shall be paid until any work is provided to him or till he refuses to do any work offered to him.

(5) The unemployment allowance to be paid to an unemployed person duly registered under sub-section (1) or (2) shall be sanctioned and paid by the authority empowered by the State Government in this behalf and for this purpose the State Government may prescribe such procedure as it deems fit.

(6) No person shall be entitled to any unemployment allowance under this Act if he does not accept employment provided to him or does not report for work within 7 days of being asked to do so or continuously remains absent from work without permission of the implementing officer for a continuous period of more than a week or remains absent from work for a total period of one week in any month.

10. (1) The State Government shall fix implementing agencies in every district in such manner as may be prescribed.

Implementa-
tion of the
scheme.

(2) The works sanctioned by the State Government under the scheme, prepared and published in accordance with section 7 for the district shall be distributed by the Controller among different implementing agencies in the district.

(3) Each implementing agency shall appoint implementing officers in consultation with the Controller for carrying out works entrusted to it and for performing such other functions as may be assigned to him by the implementing agency.

(4) The implementing officer shall, from time to time, obtain list of persons from the nearby registering authority for engaging them on the works to be carried out by the implementing agency.

(5) It shall be open for the implementing officer to direct, any unskilled person who volunteers for employment to do any type of manual work and to transfer him from one work to another.

Wages

11. (1) The wages shall be paid according to the schedule of rates as may be prescribed from time to time.

(2) The rate shall be directly linked with the quality and quantity of work and as far as possible shall be equal to the rates of Wages given to similar workers in other industry or employment.

(3) For unskilled workers the rates shall be so fixed that a person working diligently for eight hours a day would normally get a total wage equal to the minimum wage prescribed, for agricultural labourer in the State, from time to time.

Penalty

12. Any person,—

(a) who is in employment but gets his name registered under sub-section (1) or (2) of section 9 and draws unemployment allowance under sub-section (4) of that section, or

(b) who is in receipt of unemployment allowance under subsection (4) of section 9 and accepts employment elsewhere but does not bring this fact to the notice of the registering authority concerned, and continues to draw unemployment allowance, shall on conviction, be punished with fine, upto twice the amount of unemployment allowance drawn in contravention of the provision of this Act.

Establishment
of employment
guarantee
fund.

13. (1) On the date of commencement of this Act, the State Government shall constitute Fund to be called the Employment Guarantee Fund.

(2) There shall be credited in the Employment Guarantee Fund constituted under sub-section (1),—

(a) the entire amount of tax on professions, trades, callings and employments received during the previous financial year;

(b) any contributions or grants made by the State Government, Central Government or any local body;

(c) any sums received from other bodies or individuals whether incorporated or not.

(3) The amount standing to the credit of the Fund shall be expended in such manner and subject to such condition as may be prescribed for the purpose of implementing the scheme.

Delegation of
powers.

14. The State Government may, by notification in the *Official Gazette*, direct that the powers exercisable by it under this Act except the power to make the scheme and the rules, shall, in such circumstances and under such conditions, if any, as may be specified in the notification, be exercisable also by such officer or officers subordinate to it as may be, specified in the notification.

15. (1) No suit, prosecution or other legal proceeding shall lie against the State Government or any authority or officer or body or person for anything which is in good faith done or omitted to be done in pursuance of this Act or the scheme or the rules made thereunder.

Protection of
action taken in
good faith

16. (1) The State Government may, by notification, in the *Official Gazette*, make rules to carry out all or any of the purposes of this Act.

Power to
make rules

(2) In particular and without prejudice to the generality of the foregoing power, such rules, may be made to provide for all or any of the matters expressly required or allowed by this Act to be prescribed by rules.

(3) The power to make rules conferred by this section shall be subject to the condition of the rules being made after previous publication.

(4) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

(5) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.

STATEMENT OF OBJECTS AND REASONS

The Government of West Bengal and Kerala have enacted legislations entitling unemployed persons to get unemployment allowance. The Government of Maharashtra has also taken steps in this direction. Even countries like U.S.A. and Britain have made provisions for giving unemployment allowance to unemployed persons. In socialist countries, the right to work has been recognised as one of the Fundamental Rights. In our Constitution, under Article 41 it has been *inter alia*, directed to make effective provision for securing the right to work in cases of unemployment. In the preamble of the Constitution also the word "Socialist" has been given place. Even Sixty Five years after Independence the army of unemployed skilled and unskilled persons is over increasing. This situation spreads unrest in the minds of unemployed person like fire, and also mars the development of a person.

It is now high time that in the interest of social justice, the Government should take some positive and effective steps immediately to end this monstrous situation of unemployment. It is the need of the hour that no person should remain without food at the end of the day. No ornamental schemes are going to pacify the hungry person.

The demand of the hour is "Give employment to all adult persons or if unable to give employment, give unemployment allowance". Hence this Bill.

Dated the 25th June, 2014

BALVANTSINH RAJPUT
M. L. A.

FINANCIAL MEMORANDUM

Clause 13.—Sub-clause (1) provides for establishment and maintenance of Employment Guarantee Fund

Sub-clause (2) provides for payment of an amount from the tax on professions, trades, callings and employments received during the previous financial year and any contribution or grants made by the State Government in the Employment Guarantee Fund.

These provisions involve expenditure from the Consolidated Fund of the State. As the exact involvement of the expenditure to be incurred by the State Government is difficult to assess, an estimate of recurring or non-recurring expenditure is not possible.

Dated the 25th June, 2014

BALVANTSINH RAJPUT
M.L.A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of powers of legislative nature in the following respects, namely:—

Clause 4.—Sub-clause (1) of this clause empowers the State Government to appoint Chairman and members of the State Employment Guarantee Council.

Clause 5.—Sub-clause (1) of this clause empowers the State Government to constitute a District Employment Guarantee Committee in every District.

Clause 6.—Sub-clause (1) of this clause empowers the State Government to appoint a Controller of Employment.

Clause 7.—(i) Sub-clause (1) of this clause empowers the State Government to prepare and publish a scheme providing employment to all adult persons;

(ii) Sub-clause (4) of this clause empowers the State Government to prescribe the manner in which the scheme shall be prepared;

Clause 8.— This clause empowers the State Government to prescribe the manners in which the Registering Authority shall function.

Sub-clause (5) of clause 9 empowers the State Government to prescribe the authority and the procedure for sanctioning and payment of unemployment allowance.

Clause 10.—Sub-clause (1) of this clause empowers the State Government to fix the implementing agencies and to prescribe the manner in which such agencies shall be fixed.

Clause 11.—Sub-clause (1) of this clause empowers the State Government to prescribe the rates of wages.

Clause 13.—Sub-clause (3) empowers the State Government to prescribe the manners and conditions which the amount standing to the credit of the fund shall be expended.

Clause 14.—This clause empowers the State Government to delegate its powers to the officers subordinate to it.

Clause 16.—This clause empowers the State Government to make rules to carry out the purposes of the Act.

The delegation of power as aforesaid is necessary and of normal character.

Dated the 25th June, 2014

BALVANTSINH RAJPUT

M.L.A.

**Gandhinagar,
Dated the 17th July, 2014**

**D.M.PATEL,
Secretary,
Gujarat Legislative Assembly**



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The Gujarat Government Gazette

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The Following Bill Which Was introduced on the 17th July, 2014 by Shri Balvantsinh Rajput M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

GUJARAT BILL NO. 13 OF 2014

THE GUJARAT PREVENTION OF CONTEMPT OF THE PEOPLE (BY PUBLIC SERVANT) BILL, 2014

A BILL

to provide for the protection of the people from insult and disrespect shown by public servant against them and for assuring dignity of the individual.

It is hereby enacted in the Sixty Fifth year of Republic of India as follows:—

1. (1) This Act may be called the Gujarat Prevention of Contempt of the People (By Public Servant) Act, 2014
- (2) It extends to the whole of the State of Gujarat
- (3) It shall come into force at once.
2. In this Act, unless the context otherwise requires—

Short title
extent and
commencement

Definitions

(1) The words "contempt of the people" denotes an act or an omission by public servant falling under any of the description hereinafter following, namely:-

- (a) wandering or remaining absent from the place of duty in order to avoid work during duty hours,
- (b) reading newspapers, magazines or other books or hearing radio which is not a part of Ms duty during the duty hours at one's duty place.
- (c) sitting or behaving in disorderly manner at one's place of duty during duty hours.
- (d) not replying properly and politely to any person coming for official work or for inquiry.
- (e) not replying properly and to the point to any written application made by any person.
- (f) insulting or disrespecting any person by using abusive or offensive language.
- (g) asking for or accepting anything from any person which is not necessary for one's duty or job assigned to a public servant.
- (h) furnishing false information to any person.
- (i) omitting to render or furnish assistance to any person.
- (j) disobedience of any law, rule, order or direction issued by the State Government

(2) "public servant" means every person;

- (a) in the service or pay of the State Government or remunerated by fees or commission for the performance of any public duty by the State Government
- (b) in the service or pay of a local authority or a corporation established under a Central or State Act or a Government company as defined in section 617 of the Companies Act, 1956, excepting 'Judges' as defined in the Indian Penal Code.

1 of 1956
45 of 1960

**Punishment
for Contempt.**

3. Any Public Servant who commits contempt of the people shall be punished with simple imprisonment for a term which may extend to six months or with fine which may extend to two thousand rupees or with both:

Provided that the public servant may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the Judge.

Jurisdiction

4. Any person who feels or comes to know that any public servant has committed contempt of the people may apply to the Civil Judge within whose jurisdiction the alleged contempt has been committed with supporting affidavits of himself and of witnesses, if any, and with all or any documentary evidence available with him:

Provided that application referred to in this section may be presented personally or may be sent by post.

5. The Civil Judge will give or send by post receipt of the application within three days to the applicant and issue a show cause notice to the public servant concerned within eight days. **Show Cause Notice**
6. A public servant who receives a show cause notice from the Civil Judge will send his reply with affidavit of himself and of witnesses, if any. and with all or any documentary evidence available with him for his or her defence within ten days from the receipt of the show cause notice. **Public Servant to reply affidavit**
7. After receiving reply from the public servant if the Civil Judge thinks it necessary to call the applicant and the public servant for personal hearing, he will fix a date for the same and intimate about it to the applicant and the public servant concerned and after hearing the both, pass a necessary order under section 3 or dismiss the application. **Hearing and Disposal**
8. The order of the Civil judge shall be final, subject to any modifications alteration or correction made by the High Court in revision either on application of any party or suomoto. **Revision by High Court.**
9. No Court shall have jurisdiction to question the legality of any action taken or any decision given by the Civil Judge under this Act in connection with the contempt of the people by public servant and no suit or other legal proceeding shall lie against any person in respect of anything' which is in good faith done or intended to be done in pursuance of this Act. **Protection for the acts done is good faith.**
10. Nothing in this act shall be deemed to prohibit or restrict any action for which the public servant is liable under any other law or rules for the time being in force. **No prohibition for action under other law.**
11. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be after they are made and shall be subject to rescission by the State Legislature or to such modification as the Legislature may make during the session in which they are so laid or the session immediately following. **Power to make rules.**
- (3) Any rescission or modification so made by the State Legislature shall be published in the Official Gazette and shall there upon take effect.

STATEMENT OF OBJECTS AND REASONS

The Constitution of India recognises dignity of the individual in the preamble but during these Sixty Five years of independence, people feel by experience that instead of peoples' rule public servant at many a times are openly disrespecting and insulting common people in the State and behaving many a times in such a way that people at large have been losing confidence in public administration and hence for the protection of the people from insult and disrespect by public servants and for assuring dignity of the individual some easy and quasi judicial summary remedies are necessary.

This Bill seeks to achieve the above objects.

Gandhinagar.

BALVANTSINH RAJPUT

Dated the 25th June, 2014

M. L. A.

**MEMORANDUM REGARDING DELEGATED
LEGISLATION**

Clause 11 of the Bill empowers the State Government to make rules for carrying out the purposes of the Act.

The delegation of legislative powers as aforesaid is assential and of normal character.

Gandhinagar.

BALVANTSINH RAJPUT

Dated the 25th June, 2014

M. L. A.

Gandhinagar.

D. M. PATEL

Dated the 17th July, 2014

Secretary,

Gujarat Legislative Assembly.



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PART - V

Bills introduced in the Gujarat Legislative Assembly.

The Following Bill Which Was introduced on the 17th July, 2014 by Dr. Nimaben Acharya M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

GUJARAT BILL NO. 14 2014

THE GUJARAT STATE CANCER AND DRUG ADDICTION TREATMENT INFRASTRUCTURE FUND BILL, 2014

A BILL

to constitute a Fund for supporting the creation of infrastructure for cancer and drug addiction treatment and for the matters connected therewith and incidental thereto.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

1. (1) This Act may be called the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund Act, 2014. Short title and commencement
(2) It shall come into force at once.
2. In this Act, unless the context otherwise requires,— Definitions.
 - (a) "Act" means the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund Act ;
 - (b) "Board" means the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund Board constituted under section 3 ;
 - (c) "Fund" means the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund constituted under section 4 ;
 - (d) "Government" means the Government of the state of Gujarat ;
 - (e) "prescribed" means prescribed by rules made under this Act; and
 - (f) "section" means a section of this Act.

Constitution of
the Board

3. There shall be a Board for the purposes of carrying out the provisions of the Act, to be called the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Board, comprising of the following :—

- | | | | |
|--------|--|----|------------------|
| (i) | Chief Minister, Government of Gujarat ; | .. | Chairman |
| (ii) | Finance Minister, Government of Gujarat ; | .. | Member |
| (iii) | Health & Family Welfare Minister, Government of Gujarat ; | .. | Member |
| (iv) | Chief Secretary, Gujarat ; | .. | Member |
| (v) | Principal Secretary, Health and Family Welfare, Department, Government of Gujarat; | .. | Member |
| (vi) | Principal Secretary, Finance, Department, Government of Gujarat ; | .. | Member |
| (vii) | Principal Secretary to Chief Minister, Government of Gujarat ; | .. | Member |
| (viii) | Commissioner, Health & Medical Services & Medical Education ; | .. | Member Secretary |

Costitution of
Fund.

4. There shall be constituted a Fund to be called the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund, which shall vest in the Board constituted under section 3.

Purpose for
which the Fund
may be used.

5. The Fund shall be used for the following purposes :—

- (a) to create and up-grade infrastructure including buildings, machinery and equipments for treatment and rehabilitation of cancer patients and for de-addiction of drug addicts ;
- (b) to create awareness about and prevention, detection and treatment of cancer through any means ;
- (c) to create awareness about mal-effects of drugs and drug addiction and prevention thereof and opportunities of treatment of drug addiction; and
- (d) for any other object for furtherance of the welfare of patients afflicted with cancer and drug addiction in the State as prescribed by the Board.

Contribution to
the Fund

6. The following shall contribute to the Fund, namely :—

- (a) a percentage of the revenues realised by the societies and trusts, set up by the departments of the State Government excluding the grants-

in-aid received by such societies and trusts from the State or Central Government, as prescribed in each case ;

- (b) grants-in-aid or contributions received from Gujarat Government or the State PSUs/Boards/Corporations/Apex Co-operative, Urban Local Bodies, Improvement Trusts and Panchayati Raj Institutions at their option, as prescribed in each case ;
- (c) a percentage of Funds collected through the infrastructural development projects of the projects having a worth of more than Rupees fifty crores, such as the construction of the roads, bridges and flyovers taken up by the agencies like Public Works Department, Mandi Board, Gujarat Infrastructure Development Board and the Gujarat Roads and Bridges Development Board or through the State Funding ;
- (d) such other contributions as may be prescribed from time to time.

Administration
of the Fund.

7. The Fund shall be administered by the Board/

8. The accounts of the Fund constituted under section 4 shall be audited by the Examiner Local Funds Accounts, Gujarat.

Audit.

Protection of
action taken
in good faith.

9. (1) No suit, prosecution or other legal proceedings shall lie against any person in respect or anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder

Power to
make rules.

10. (1) The State Government may, by notification, in the *official Gazette* make rules to carry out the purposes of this Act.

(2) All Rules made under this section shall be laid before the State Legislature for thirty days as soon as after they are made and shall be subject to such modifications or recessions as the State Government may make during the session in which they so laid or the session immediately following.

Power to
remove
difficulties.

11. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions including any adaption or modification of any provisions of this Act, as appears to the Government to be necessary or expedient for removing the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

12. Save as otherwise provided in this Act, the provisions of this Act or the rules made thereunder shall have effect, notwithstanding anything inconsistent therewith contained in the Gujarat Provincial Municipal Corporation Act, 1949, the Gujarat Municipalities Act, 1964, the Gujarat Panchayat's Act, 1993, the Gujarat Agricultural Produce Markets Act, 1964 or any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

A Fund is proposed to be established to create state of art infrastructure for treatment of Cancer disease and Drug addiction and take other measures to control these problems and support the affected persons, in the State of Gujarat.

Gandhinagar :
Dated The 24th June, 2014

Dr. Nimaben Acharya
M.L.A

FINANCIAL MEMORANDUM

At this stage, it is not possible to indicate the quantum of funds that will be raised through the proposed legislation. However, it may be estimated to Rupees 50 crores Per Annum

Gandhinagar :
Dated The 24th June, 2014

Dr. Nimaben Acharya
M.L.A

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 10 of the Gujarat State Cancer and Drug Addiction Treatment Infrastructure Fund Bill, 2014 empowers to the State Government to make rules to carry out the purpose of this Bill.

The powers which are sought is necessary for the proper implementation of the provision of the Bill and are of normal in nature.

Gandhinagar :
Dated the 24th June, 2014

Dr. Nimaben Acharya
M.L.A

Gandhinagar,
Dated the 17th July, 2014

D.M.PATEL,
Secretary,
Gujarat Legislative Assembly.



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PART-V

Bills introduced in the Gujarat Legislative Assembly

The Following Bill Which Was introduced on the 17th July, 2014 by Shri Dushyant Patel M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

THE GUJARAT PREVENTION AND CONTROL OF TRAFFIC NUISANCES BILL, 2014.

GUJARAT BILL NO. 15 OF 2014.

A BILL

to provide for strict implementation of provisions relating to traffic in city areas of the State and to provide for certain measure for prevention and control of traffic nuisances and matter related thereto.

It is hereby enacted in the Sixty Fifth year of the Republic of India as follows:-

Short title
extent and
commencement

1. (1) This Act may be called the Gujarat Prevention and Control of Traffic Nuisances Act, 2014.
- (2) It extends to whole of the State of Gujarat.
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Rash or
negligent
driving.

2. Notwithstanding anything contained in any law for time being in force, whoever in any public place commits any of the following offences shall be liable on conviction to fine not less than one thousand rupees or to imprisonment of either description not exceeding fifteen days:

Provided that in case of rash or negligent driving, the appropriate authority may cancel the driving license for such period as he deems fit.

- (1) Whoever drives or rides or pushes any vehicle, in a rash or negligent manner;
- (2) Whoever by negligence or ill-usage in driving causes any mischief or obstruction to pedestrians or other persons;
- (3) Whoever without reasonable excuse and so as to cause danger or obstruction to any person shall drive, drag or push any vehicle otherwise than on the near or left side of the road;
- (4) Whoever being in charge of any vehicle leaves it otherwise than on the near or left side of the road;
- (5) Whoever causes any vehicle to remain or stand longer time than be necessary for loading or unloading except at places appointed for the purpose, so as to cause obstruction or in any way willfully obstructs or causes obstruction to the free passage of any thoroughfare;
- (6) Whoever is found drunk and incapable of taking care of himself and vehicle he drives or guilty of any riotous, disorderly or indecent behavior.

Explanation.- In this section "public place" means a place including a road, street or way, whether a thoroughfare or not, and a landing place to which the public are granted access or have a right to resort or over which they have a right to pass.

Arrest without
warrant on view
of offence.

3. (1) Any police officer may arrest without a warrant any person committing in his view any offence made punishable by this Act.

(2) Provisions of the Code of Criminal Procedure, 1973 shall apply to any arrest made or bond taken as if the arrest had been made and the bond has been taken under the said Code. 2 of 1974

Designation of a
special court.

4. The State Government may designate any existing court as a special court to dispose of the cases under this Act in a time bound manner so as to achieve the desired object with reference to traffic nuisances.

STATEMENT OF OBJECTS AND REASONS

In the recent past particularly in urban areas and cities, incidents of "dhoom" type rash less driving, mischief and obstruction to citizens passing on the road has occurred much. Traffic regulations are not followed by people which causes hardship and sometime it become fatal and also turns in to loss of life.

There are also cases of unlawful parking of vehicle which causes obstruction to citizens.

In order to take appropriate measures and also to punish the guilty, it is considered necessary to frame a law on the subject and confer certain powers in addition to the power conferred to the authority under the Bombay Police Act, 1951.

Hence this Bill.

Gandhinagar.
Dated the 24th June, 2014

DUSHYANT. R. PATEL.
M.L.A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in the following respect: -

Clause 1.- Sub Clause (3) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

Gandhinagar
Dated the 24th June, 2014

DUSHYANT R. PATEL
M.L.A

Gandhinagar
Dated the 17th July, 2014

D.M. PATEL
Secretary,
Gujarat Legislative Assembly.



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Separate paging is given to this Part in order that it may be filed as a Separate Compilation

PART - V

Bills introduced in the Gujarat Legislative Assembly.

The following Bill Which Was introduced on the 17th July, 2014 by
Shri Bhushan Bhatt M. L. A. is published under rule 127A of the Gujarat
Legislative Assembly Rules for general information:-

THE GUJARAT PREVENTION OF DAMAGE AND LOSS TO PUBLIC PROPERTY BILL, 2014

GUJARAT BILL NO. 16 OF 2014.

A BILL

*to provide for punishment and compensation for damage and loss caused to
public property in the State of Gujarat and matters connected therewith.*

It is hereby enacted in the Sixty-Fifth Year of the Republic of India as
follows :-

1. (1) This Act may be called the Gujarat Prevention of Damage and
Loss to Public Property Act, 2014.
- (2) It shall extend to the whole of the State of Gujarat.

**Short title
and extent.**

Definitions.**2. In this Act, unless the context otherwise requires, -**

- (i) "Government" means the State Government;
- (ii) "property" means any movable or immovable property under the control of -
 - (a) The Central Government;
 - (b) The State Government;
 - (c) The local authority;
 - (d) Statutory Board or Corporation of the State Government;
 - (e) Statutory Universities in the State.

and also includes bus stands, milestones, road signs and compound walls of the aforementioned property.

Punishment for committing mischief in respect of property.**3. Whoever -**

- (i) commits any mischief by doing any act, in respect of any property and hereby causes damage or loss to such property;
- (ii) commits mischief by doing any act which causes diminution of water supply to public or obstruction to any public drainage;
- (iii) commits mischief by doing any act which renders any public road, bridge, impassable or unsafe for travelling;

shall be punished with imprisonment for a term not exceeding six months and with a fine upto rupees twenty thousand.

Mischief causing damage to property.

4. Whoever commits mischief by fire or any explosive substance knowing that it will thereby cause damage to any property shall be punished with imprisonment not exceeding one year and with fine which may extend upto rupees twenty thousand.

Punishment for throwing stones bricks etc. on motor vehicles or persons travelling therein.

5. Whoever commits or abets the act of throwing stones, bricks, soda bottles upon persons travelling in motor vehicle shall be punished with imprisonment not exceeding one year and with a fine not exceeding rupees twenty thousand.

Release on bail.

6. No person accused of an offence punishable under this Act shall, if in custody, be released on bail unless the prosecution has been given opportunity to oppose the application.

Short title and extent.

7. All offences under this Act shall be tried by a Court of Chief Metropolitan Magistrate, and the Court may while imposing fine for an offence shall also take into consideration the portion of fine to be applied for the compensation to be paid to the victims.

Release on bail.

8. The State Government may make rules for carrying out all or any of the provisions of this Act.

Provision of Act.

9. The provisions of this Act shall be in addition to and not inderogation of any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

Incidents of damage to public property are increasing day to day. Employees, students and public at large while protesting for their rights, sometime take law in their hand and leadership of organisation of such people also encourages unauthorized mean for demonstration. Ultimately the target is public property which suffers huge loss.

In order to provide for adequate punishment to culprits and also to compensate the persons or institute who has suffered a loss, it is considered necessary to enact a law.

Hence this Bill.

Gandhinagar.
Dated the 25th June 2014

BHUSHAN BHATT,
M.L.A

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in the following respect: -

Clause 8.- This clause empowers the State Government to make rules for the purpose of carrying out all or any of the provisions of the Act.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

Gandhinagar.
Dated the 25th June 2014

BHUSHAN BHATT
M. L. A

Gandhinagar.
Dated the 17th July, 2014

D. M. PATEL,
Secretary
Gujarat Legislative Assembly.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT APPROPRIATION (EXCESS EXPENDITURE) BILL, 2014.

GUJARAT BILL NO. 17 OF 2014.

A BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2000.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) Act, 2014. **Short title.**
2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of the Schedule hereto annexed amounting in the aggregate to the sum of twelve hundred ninety-five crores, forty-one lakhs, nine thousand, eight hundred ninety-two rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2000, in respect of the services and purposes specified in column 2 of the Schedule. **Issue of ₹ 12,95,41,09,892 from and out of the Consolidated Fund of the State of Gujarat for the financial year 1999-2000.**
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 2000. **Appropriation.**

SCHEDULE
(See sections 2 and 3)

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue / Capital	Sums not exceeding		
			Voted by the Legislative Assembly ₹	Charged on the Consolidated Fund ₹	Total ₹
1	2	3	4		
4	Animal Husbandry and Dairy Development	Revenue	2,18,42,128		2,18,42,128
7	Education Department	Revenue	97,437		97,437
8	Education	Revenue	98,11,87,878		98,11,87,878
9	Other Expenditure pertaining to Education Department	Capital	1,06,19,758		1,06,19,758
10	Energy and Petro-chemicals Department	Revenue	3,09,604		3,09,604
17	Pensions and Other Retirement Benefits	Revenue	25,58,43,864		25,58,43,864
18	Other Expenditure pertaining to Finance Department	Capital	997		997
19	Repayment of Debt pertaining to Finance Department and its servicing	Revenue		93,24,981	93,24,981
		Capital		78,82,96,970	78,82,96,970
22	Food	Revenue	35,26,605		35,26,605
23	Other Expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Revenue		19,586	19,586
		Capital	68,294		68,294
42	Police	Revenue	16,83,48,442		16,83,48,442
51	Tourism	Revenue		1,11,394	1,11,394
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	2,86,048		2,86,048
56	Labour and Employment Department	Revenue	51,930		51,930
60	Administration of Justice	Revenue		1,25,03,636	1,25,03,636
66	Irrigation and Soil Conservation	Revenue	8,66,72,03,036		8,66,72,03,036
		Capital	25,92,94,882		25,92,94,882
67	Water Supply	Revenue	3,62,215		3,62,215

68	Other Expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue		76,08,025	76,08,025
74	Fisheries	Capital	32,68,09,998		32,68,09,998
77	Tax Collection Charges (Revenue Department)	Revenue	3,26,75,224		3,26,75,224
78	District Administration	Revenue	1,56,96,931		1,56,96,931
79	Relief on account of Natural Calamities	Revenue	96,65,40,701		96,65,40,701
80	Dangs District	Revenue	2,57,13,962		2,57,13,962
81	Compensations and Assignments	Revenue		9,39,361	9,39,361
82	Other Expenditure pertaining to Revenue Department	Capital	2,34,785		2,34,785
84	Non-Residential Buildings	Revenue	3,28,12,731	10,07,760	3,38,20,491
86	Roads and Bridges	Revenue	35,12,65,675		35,12,65,675
87	Gujarat Capital Construction Scheme	Revenue	29,03,083		29,03,083
88	Other Expenditure pertaining to Roads and Buildings Department	Revenue	1,00,59,938		1,00,59,938
90	Social Security and Welfare	Capital	21,700		21,700
94	Tribal Area Sub-Plan	Revenue		5,20,333	5,20,333
	Total :	Revenue	11,53,67,27,432	3,20,35,076	11,56,87,62,508
		Capital	59,70,50,414	78,82,96,970	1,38,53,47,384
	Grand Total :		12,13,37,77,846	82,03,32,046	12,95,41,09,892

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 205 of the Constitution of India read with article 204 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the excess expenditure incurred on certain services and purposes during the financial year ending on the thirty-first day of March, 2000.

The amounts are shown below:

₹

(a) Revenue Account	11,56,87,62,508
(b) Capital Account	1,38,53,47,384

Total: 12,95,41,09,892

Dated the 17th July, 2014

SAURABH PATEL

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 18th July, 2014.

ARVIND AGARWAL,
Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT APPROPRIATION (EXCESS EXPENDITURE) (SECOND) BILL, 2014.

GUJARAT BILL NO. 18 OF 2014.

A BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2001.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :-

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Second) Act, 2014.

Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of the Schedule hereto annexed amounting in the aggregate to the sum of three hundred seventy-nine crores, sixty-two lakhs, thirty-eight thousand, four hundred seventy-nine rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2001, in respect of the services and purposes specified in column 2 of the Schedule.

Issue of ₹
3,79,62,38,479
from and out of
the Consolidated
Fund of the State
of Gujarat for
the financial year
2000-2001.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 2001.

Appropriation.

V -EX.-18-1

18-1

SCHEDULE
(See sections 2 and 3)

No. of Excess Demand / Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
			₹	₹	₹
1	2	3	4		
6	Other Expenditure pertaining to Agriculture and Co-operation Department	Revenue		165	165
7	Education Department	Revenue	14,79,991		14,79,991
8	Education	Revenue	1,72,28,16,455	17,75,744	1,72,45,92,199
9	Other Expenditure pertaining to Education Department	Revenue	12,92,908		12,92,908
12	Energy Projects	Capital	29,42,97,000		29,42,97,000
21	Civil Supplies	Revenue	10,35,213		10,35,213
23	Other Expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Revenue		13,000	13,000
25	Forests	Revenue	22,02,480		22,02,480
35	State Legislature	Revenue		95,154	95,154
38	Medical and Public Health	Revenue	8,16,73,181		8,16,73,181
42	Police	Revenue	16,04,79,491		16,04,79,491
46	Other Expenditure pertaining to Home Department	Revenue	45,38,663		45,38,663
66	Irrigation and Soil Conservation	Revenue	19,14,96,110		19,14,96,110
		Capital	27,82,60,109		27,82,60,109
67	Water Supply	Capital	94,11,000		94,11,000
74	Fisheries	Capital	65,82,10,710		65,82,10,710
77	Tax Collection Charges (Revenue Department)	Revenue		14,609	14,609
80	Dangs District	Revenue	50,32,740		50,32,740
81	Compensations and Assignments	Revenue	9,37,753		9,37,753

86	Roads and Bridges	Revenue	31,69,77,590		31,69,77,590
		Capital	5,13,96,073		5,13,96,073
88	Other Expenditure pertaining to Roads and Buildings Department	Revenue	1,27,68,730		1,27,68,730
94	Tribal Area Sub-Plan	Capital		33,610	33,610
	Total :	Revenue	2,50,27,31,305	18,98,672	2,50,46,29,977
		Capital	1,29,15,74,892	33,610	1,29,16,08,502
	Grand Total :		3,79,43,06,197	19,32,282	3,79,62,38,479

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 205 of the Constitution of India read with article 204 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the excess expenditure incurred on certain services and purposes during the financial year ending on the thirty-first day of March, 2001.

The amounts are shown below:

₹

(a) Revenue Account	2,50,46,29,977
(b) Capital Account	1,29,16,08,502

Total :	3,79,62,38,479
---------	----------------

Dated the 17th July, 2014.

SAURABH PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 18th July, 2014.

ARVIND AGARWAL,
Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT APPROPRIATION (EXCESS EXPENDITURE) (THIRD) BILL, 2014.

GUJARAT BILL NO. 19 OF 2014.

A BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2002.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Third) Act, 2014. Short title.
2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of the Schedule hereto annexed amounting in the aggregate to the sum of twenty-six hundred forty crores, thirty-six lakhs, thirty-nine thousand, three hundred twenty-three rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2002, in respect of the services and purposes specified in column 2 of the Schedule. Issue of ₹
26,40,36,39,323
from and out of
the Consolidated
Fund of the State
of Gujarat for the
financial year
2001-2002.
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 2002. Appropriation.

EX.- V-19-1

SCHEDULE

(See sections 2 and 3)

No. of Excess Demand / Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
			₹	₹	₹
1	2	3	4		
7	Education Department	Revenue	1,50,960		1,50,960
8	Education	Revenue		5,63,156	5,63,156
12	Energy Projects	Capital	60,70,80,000		60,70,80,000
19	Repayment of Debt pertaining to Finance Department and its servicing	Capital		25,52,75,58,286	25,52,75,58,286
34	Other Expenditure pertaining to General Administration Department	Revenue		5,73,308	5,73,308
36	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	7,58,750		7,58,750
61	Other Expenditure pertaining to Legal Department	Revenue	15,32,339		15,32,339
66	Irrigation and Soil Conservation	Capital	8,85,81,913		8,85,81,913
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	14,40,01,192		14,40,01,192
75	Other Expenditure pertaining to Ports and Fisheries Department	Revenue	36,05,083		36,05,083
82	Other Expenditure pertaining to Revenue Department	Revenue	5,56,108		5,56,108
86	Roads and Bridges	Capital		2,30,069	2,30,069
102	Other Expenditure pertaining to Urban Development and Urban Housing Department	Revenue	20,91,427		20,91,427
		Capital	2,63,56,732		2,63,56,732
	Total :	Revenue	15,19,37,109	11,36,464	15,30,73,573
		Capital	72,27,77,395	25,52,77,88,355	26,25,05,65,750
	Grand Total :		87,47,14,504	25,52,89,24,819	26,40,36,39,323

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 205 of the Constitution of India read with article 204 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the excess expenditure incurred on certain services and purposes during the financial year ending on the thirty-first day of March, 2002.

The amounts are shown below:

₹

(a) Revenue Account	15,30,73,573
(b) Capital Account	26,25,05,65,750

Total: 26,40,36,39,323

Dated the 17th July, 2014

SAURABH PATEL

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,

Gandhinagar,
Dated the 18th July, 2014.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT APPROPRIATION (EXCESS EXPENDITURE) (FOURTH) BILL, 2014.

GUJARAT BILL NO. 20 OF 2014.

A BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2003.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) (Fourth) Act, 2014. **Short title.**
2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of the Schedule hereto annexed amounting in the aggregate to the sum of one hundred fourteen crores, seventeen lakhs, ninety thousand, eight hundred eighty-two rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2003, in respect of the services and purposes specified in column 2 of the Schedule. **Issue of ₹ 1,14,17,90,882 from and out of the Consolidated Fund of the State of Gujarat for the financial year 2002-2003.**
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ending on the thirty-first day of March, 2003. **Appropriation.**

SCHEDULE
(See sections 2 and 3)

No. of Excess Demand /Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted by the Legislative Assembly ₹	Charged on the Consolidated Fund ₹	Total ₹
1	2	3	4		
30	Elections	Revenue	5,44,16,895		5,44,16,895
35	State Legislature	Revenue		6,75,607	6,75,607
40	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	3,85,128		3,85,128
42	Police	Revenue	9,86,86,462		9,86,86,462
46	Other Expenditure pertaining to Home Department	Revenue	37,40,224		37,40,224
60	Administration of Justice	Revenue		86,09,935	86,09,935
61	Other Expenditure pertaining to Legal Department	Revenue	27,72,870		27,72,870
68	Other Expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue		43,02,283	43,02,283
69	Panchayats, Rural Housing and Rural Development Department	Revenue	10,81,913		10,81,913
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	39,04,56,957		39,04,56,957
78	District Administration	Revenue	5,64,69,808		5,64,69,808
80	Dangs District	Revenue	29,78,781		29,78,781
84	Non-Residential Buildings	Revenue		24,99,584	24,99,584
86	Roads and Bridges	Revenue	41,02,60,451		41,02,60,451

88	Other Expenditure pertaining to Roads and Buildings Department	Revenue		6,70,043	6,70,043
104	Other Expenditure pertaining to Women and Child Development Department	Revenue	10,17,83,941	20,00,000	10,37,83,941
	Total :	Revenue	1,12,30,33,430	1,87,57,452	1,14,17,90,882
		Capital	-	-	-
	Grand Total :		1,12,30,33,430	1,87,57,452	1,14,17,90,882

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 205 of the Constitution of India read with article 204 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Gujarat of the moneys required to meet the excess expenditure incurred on certain services and purposes during the financial year ending on the thirty-first day of March, 2003.

The amounts are shown below:

₹

(a) Revenue Account	1,14,17,90,882
(b) Capital Account	-

Total:	1,14,17,90,882
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Dated the 17th July, 2014.

SAURABH PATEL.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,

Gandhinagar,
Dated the 18th July, 2014.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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The Gujarat Government Gazette

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT MOTOR VEHICLES (TAXATION OF PASSENGERS) (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 21 OF 2014.

A BILL

further to amend the Gujarat Motor Vehicles (Taxation of Passengers) Act, 1958.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :-

1. This Act may be called the Gujarat Motor Vehicles (Taxation of Passengers) (Amendment) Act, 2014. **Short title.**

Bom. LXVII of 1958.

2. In the Gujarat Motor Vehicles (Taxation of Passengers) Act, 1958, in section 3, in sub-section (1), for the words "seventeen and one-half per cent.", the words "seven and one-half per cent." shall be substituted. **Amendment of section 3 of Bom. LXVII of 1958.**

STATEMENT OF OBJECTION AND REASONS

At present under the provision of section 3 of the Gujarat Motor Vehicles (Taxation of Passengers) Act, 1958, a passenger tax is levied at the rate of 17.5 per cent. of the inclusive amount of fares payable to the operator of a state carriage which is leviable on all passengers carried by state carriage.

The Finance Minister in his budget speech in the Legislative Assembly on 1st July, 2014 has proposed to reduce the said rate of tax from 17.5 per cent. to that of 7.5 per cent. in order to provide relief to the passengers carried by the state carriage. This reduction in the tax would result into reducing the fare of the State Transport buses.

In order to giving effect to the said proposal, the relevant provision of the Gujarat Motor Vehicles (Taxation of Passengers) Act, 1958 is proposed to be amended.

This Bill seeks to amend the said Act to achieve the aforesaid object.

Dated the 17th July, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gandhinagar,
Dated the 18th July, 2014



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT STAMP (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 22 OF 2014.

A BILL

further to amend the Gujarat Stamp Act, 1958.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Stamp (Amendment) Act, 2014. Short title and commencement.
- (2) It shall come into force on the 1st August, 2014.
2. In the Gujarat Stamp Act, 1958, in Schedule I, - Amendment of Schedule I to Bom. LX of 1958.
 - (1) in article 5, in clause (ga), for the words "One rupee", the words "Three rupees and fifty paise" shall be substituted;

(2) in article 44, for clause (1), the following clause shall be substituted, namely :-

“(1) Instrument of Partnership

- | | | |
|-----|--|---|
| (a) | Where such share of capital is brought in by way of cash. | Subject to maximum of ten thousand rupees, one rupee for every hundred rupee or part thereof of the amount of the capital of partnership. |
| (b) | Where such share of capital is brought in by way of immovable property. | The same duty as is leviable on a conveyance under Article 20 for the market value of such immovable property. |
| (c) | Where such share of capital is brought in by way of cash and immovable property. | The same duty as is leviable under sub-clauses (a) and (b), respectively.”; |

(3) in article 45, in clause (g), for the words “One rupee”, the words “Three rupees and fifty paise” shall be substituted.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT ENTERTAINMENTS TAX (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 23 OF 2014.

A BILL

further to amend the Gujarat Entertainments Tax Act, 1977.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Entertainments Tax (Amendment) Act, 2014.

Short title and
commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In the Gujarat Entertainments Tax Act, 1977 (hereinafter referred to as "the principal Act"), in section 6B, -

Amendment of
section 6B of Guj.
16 of 1977.

(1) in sub-section (1), -

(a) for the words "there shall be levied and paid by every proprietor to the State Government", the words "there shall be levied by the State Government and paid by every proprietor which shall be collected and retained by the concerned Municipal Corporation, Municipality

Guj. 16 of 1977.

or village panchayat falling under the other area" shall be substituted;

(b) in the Table,-

(i) in column 2, for the heading "For urban area" the heading "For Municipal Corporations and Municipalities" shall be substituted;

(ii) in column 3, for the heading "For the area other than urban area and rural area", the heading "For other area" shall be substituted;

(2) in the Explanation, below sub-section (3), for clauses (a) and (b), the following clauses shall be substituted, namely :-

"(a) (i) "Municipal Corporation" means a Municipal Corporation of the City constituted under section 5 of the Gujarat Provincial Municipal Corporations Act, 1949;

Bom. LIX of 1949.

(ii) "Municipality" means a Municipality as defined in clause (14) of section 2 of the Gujarat Municipalities Act, 1963;

Guj. 34 of 1964.

(b) "other area" means any area of a village which is within a radius of five kilometer from any City as defined in clause (8) of section 2 of the Gujarat Provincial Municipal Corporations Act, 1949; or from any municipal borough as defined in clause (13) of section 2 of the Gujarat Municipalities Act, 1963."

Bom. LIX of 1949.

Guj. 34 of 1964.

Insertion of new section 34 in Guj. 16 of 1977.

3. In the principal Act, after section 33, the following section shall be added, namely:-

Savings. "34. Nothing in the amendments made by the Gujarat Entertainments Tax (Amendment) Act, 2014 (hereinafter referred to as "the said Act") shall affect or to be deemed to have affected,-

Guj. of 2014.

(a) the previous operation of any provision of the Act or anything done or suffered under the said provisions before the commencement of the said Act;

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said provisions before the commencement of the said Act;

- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the provisions of the Act before the commencement of the said Act; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Act had not been passed.”.

STATEMENT OF OBJECTS AND REASONS

The Finance Minister in his Budget Speech on 1st July, 2014 in the Legislative Assembly for the year 2014-15 had proposed that now henceforth the tax on exhibition on entertainment by means of any type of antenna or cable television shall be levied by the State Government but the same shall be collected and retained by the local bodies which has been so far levied and paid to the State Government. In order to giving effect to the said proposal the relevant provisions of the Gujarat Entertainments Tax Act, 1977 are proposed to be amended.

This Bill seeks to amend the said Act to achieve the aforesaid object.

PRADEEPSINH JADEJA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect, namely:-

Clause I.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 18th July, 2014

PRADEEPSINH JADEJA.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL,

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gandhinagar,
Dated the 18th July, 2014



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PART-V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE GUJARAT APPROPRIATION BILL, 2014.

GUJARAT BILL NO. 24 OF 2014.

A BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2015.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :-

1. This Act may be called the Gujarat Appropriation Act, 2014. Short title.
2. From and out of the Consolidated Fund of the State of Gujarat, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of ninety-three thousand one hundred fifty-three crores, ten lakhs, eighty-nine thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2014-2015 in respect of the services and purposes specified in column 2 of the Schedule. Withdrawal of ₹ 9,31,53,10,89,000 from and out of the Consolidated Fund of the State of Gujarat for the financial year 2014-2015.
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation.

SCHEDULE					
(See sections 2 and 3)					
No. of Vote/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted Expenditure ₹	Charged Expenditure ₹	Total ₹
1	2	3	4	5	6
1	Agriculture and Co-operation Department	Revenue	122190000	0	122190000
		Capital	4867000	0	4867000
2	Agriculture	Revenue	20352361000	0	20352361000
		Capital	2068203000	0	2068203000
3	Minor Irrigation, Soil Conservation and Area Development.	Revenue	364755000	0	364755000
		Capital	562667000	0	562667000
4	Animal Husbandry	Revenue	3218399000	0	3218399000
5	Co-operation	Revenue	1990881000	0	1990881000
		Capital	151667000	0	151667000
6	Fisheries	Revenue	1048190000	0	1048190000
		Capital	123802000	0	123802000
7	Other expenditure pertaining to Agriculture and Co-operation Department.	Capital	2733000	0	2733000
8	Education Department	Revenue	94508000	0	94508000
9	Education	Revenue	125556201000	1381467000	126937668000
		Capital	17461543000	0	17461543000
10	Other expenditure pertaining to Education Department	Revenue	11914000	0	11914000
		Capital	277007000	0	277007000
11	Energy and Petro-chemicals Department	Revenue	30223000	0	30223000
12	Tax Collection Charges (Energy and Petro-chemicals Department)	Revenue	192072000	0	192072000
13	Power Projects	Revenue	27752333000	0	27752333000
		Capital	9729133000	0	9729133000
14	Other expenditure pertaining to Energy and Petro-chemicals Department	Revenue	118867000	0	118867000
		Capital	5880533000	0	5880533000
15	Finance Department	Revenue	133665000	0	133665000
16	Tax Collection Charges (Finance Department)	Revenue	1602661000	0	1602661000
17	Treasury and Accounts Administration	Revenue	855669000	0	855669000
18	Pension and other Retirement Benefits	Revenue	41086147000	4103000	41090250000
19	Other expenditure pertaining to Finance Department	Revenue	28575273000	0	28575273000
		Capital	7533000	67000	7600000
20	Repayment of Debt pertaining to Finance Department and its servicing	Revenue	0	96643384000	96643384000
		Capital	0	36774737000	36774737000
21	Food, Civil Supplies and Consumer Affairs Department.	Revenue	191559000	0	191559000

1	2	3	4	5	6
22	Civil Supplies	Revenue	1958601000	0	1958601000
23	Food	Revenue	662636000	0	662636000
		Capital	1056537000	0	1056537000
24	Other expenditure pertaining to Food, Civil Supplies and Consumer Affairs Department	Capital	67000	0	67000
25	Forests and Environment Department	Revenue	86469000	0	86469000
26	Forests	Revenue	2278838000	1103000	2279941000
		Capital	2386564000	0	2386564000
27	Environment	Revenue	110800000	0	110800000
28	Other expenditure pertaining to Forest and Environment Department.	Capital	3067000	0	3067000
29	Governor	Revenue	0	40024000	40024000
30	Council of Ministers	Revenue	18600000	0	18600000
31	Elections	Revenue	108806000	0	108806000
32	Public Service Commission	Revenue	37587000	80525000	118112000
33	General Administration Department	Revenue	835714000	0	835714000
34	Economic Advice and Statistics	Revenue	842344000	0	842344000
35	Other expenditure pertaining to General Administration Department	Revenue	170962000	9870000	180832000
		Capital	6599473000	0	6599473000
36	State Legislature	Revenue	178958000	2627000	181585000
37	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	2271000	0	2271000
38	Health and Family Welfare Department	Revenue	64269000	0	64269000
39	Medical and Public Health	Revenue	23794108000	0	23794108000
		Capital	11578689000	0	11578689000
40	Family Welfare	Revenue	4702164000	0	4702164000
		Capital	210460000	0	210460000
41	Other expenditure pertaining to Health and Family Welfare Department	Revenue	0	37000000	37000000
		Capital	3667000	0	3667000
42	Home Department	Revenue	127485000	0	127485000
43	Police	Revenue	21043594000	1024000	21044618000
44	Jails	Revenue	697553000	0	697553000
45	State Excise	Revenue	114999000	0	114999000
46	Other expenditure pertaining to Home Department.	Revenue	1264733000	4000000	1268733000
		Capital	6011005000	0	6011005000
47	Industries and Mines Department.	Revenue	188574000	0	188574000
48	Stationery and Printing	Revenue	394757000	0	394757000
		Capital	65000000	0	65000000
49	Industries	Revenue	9734429000	0	9734429000
		Capital	4339012000	0	4339012000

1	2	3	4	5	6
50	Mines and Minerals	Revenue	1115017000	0	1115017000
		Capital	46500000	0	46500000
51	Tourism	Revenue	246630000	0	246630000
		Capital	5185000000	0	5185000000
52	Other Expenditure pertaining to Industries and Mines Department	Revenue	428033000	0	428033000
		Capital	1334333000	0	1334333000
53	Information and Broadcasting Department	Revenue	12375000	0	12375000
54	Information and Publicity	Revenue	680297000	0	680297000
55	Other expenditure pertaining to Information and Broadcasting Department	Revenue	44914000	0	44914000
		Capital	1400000	0	1400000
56	Labour and Employment Department	Revenue	77814000	0	77814000
57	Labour and Employment	Revenue	7102753000	1100000	7103853000
		Capital	891480000	0	891480000
58	Other expenditure pertaining to Labour and Employment Department	Capital	2167000	0	2167000
59	Legal Department	Revenue	63781000	0	63781000
60	Administration of Justice	Revenue	4153951000	644974000	4798925000
61	Other expenditure pertaining to Legal Department	Revenue	698959000	0	698959000
		Capital	11800000	0	11800000
62	Legislative and Parliamentary Affairs Department	Revenue	62275000	0	62275000
63	Other expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	500000	0	500000
64	Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	134877000	0	134877000
65	Narmada Development Scheme	Capital	33969614000	0	33969614000
66	Irrigation and Soil Conservation	Revenue	7346920000	0	7346920000
		Capital	20620052000	366667000	20986719000
67	Water Supply	Revenue	651267000	0	651267000
		Capital	14020249000	0	14020249000
68	Other expenditure pertaining to Narmada, Water Resources, Water Supply and Kalpsar Department.	Revenue	0	700000000	700000000
		Capital	7333000	0	7333000

1	2	3	4	5	6
69	Panchayats, Rural Housing and Rural Development Department	Revenue	67020000	0	67020000
70	Community Development	Revenue	9893311000	0	9893311000
			0	0	0
71	Rural Housing and Rural Development	Revenue	17274879000	1305000000	18579879000
72	Compensation and Assignments	Revenue	912879000	0	912879000
73	Other expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	3621580000	0	3621580000
		Capital	26875000	0	26875000
74	Transport	Revenue	6207774000	0	6207774000
		Capital	4219536000	0	4219536000
75	Other expenditure pertaining to Ports and Transport Department	Revenue	496388000	0	496388000
		Capital	164867000	0	164867000
76	Revenue Department	Revenue	546118000	0	546118000
77	Tax Collection Charges (Revenue Department)	Revenue	2931398000	0	2931398000
78	District Administration	Revenue	2760200000	0	2760200000
79	Relief on account of Natural Calamities	Revenue	8316345000	0	8316345000
		Capital	1715000000	0	1715000000
80	Dang District	Revenue	306199000	0	306199000
81	Compensation and Assignment	Revenue	337950000	600000	338550000
		Capital	733000	133000	866000
82	Other expenditure pertaining to Revenue Department	Revenue	12141000	0	12141000
		Capital	1740000	0	1740000
83	Roads and Building Department	Revenue	106688000	0	106688000
84	Non-Residential Buildings	Revenue	4178010000	3733000	4181743000
		Capital	11550967000	0	11550967000
85	Residential Buildings	Revenue	1201988000	0	1201988000
		Capital	1855319000	0	1855319000
86	Roads and Bridges	Revenue	24527186000	27467000	24554653000
		Capital	14940871000	25333000	14966204000
87	Gujarat Capital Construction Scheme	Revenue	112117000	0	112117000
		Capital	1460500000	700000	1461200000
88	Other expenditures pertaining to Roads and Buildings Department	Revenue	114199000	93333000	207532000
		Capital	42533000	0	42533000
89	Science and Technology Department	Revenue	1277224000	0	1277224000
90	Other expenditure pertaining to Science and Technology Department	Revenue	797064000	0	797064000
		Capital	271465000	0	271465000
91	Social Justice and Empowerment Department	Revenue	41883000	0	41883000

1	2	3	4	5	6
92	Social security and welfare	Revenue	7837955000	11500000	7849455000
		Capital	121453000	0	121453000
93	Welfare of Scheduled Tribes	Revenue	1701844000	0	1701844000
		Capital	285567000	0	285567000
94	Other expenditure pertaining to Social Justice and Empowerment Department	Capital	1067000	0	1067000
95	Scheduled Castes Sub-Plan	Revenue	18375333000	0	18375333000
		Capital	8259900000	0	8259900000
96	Tribal Area Sub-Plan	Revenue	42341937000	40000000	42381937000
		Capital	24554560000	40000000	24594560000
97	Sports, Youth and Cultural Activities Department	Revenue	35859000	0	35859000
98	Youth Services and Cultural Activities	Revenue	2228881000	0	2228881000
		Capital	170667000	0	170667000
99	Other expenditure pertaining to Sports, Youth and Cultural Activities Department	Capital	771000	0	771000
100	Urban Development and Urban Housing Department	Revenue	38831000	0	38831000
101	Urban Housing	Revenue	6420881000	879261000	7300142000
102	Urban Development	Revenue	52279450000	0	52279450000
		Capital	666667000	0	666667000
103	Compensation, Assignment and Tax Collection Charges	Revenue	921333000	200000000	1121333000
104	Other expenditure pertaining to Urban Development and Urban Housing Department	Revenue	2213000	0	2213000
		Capital	1073000	0	1073000
105	Women and Child Development Department	Revenue	20763000	0	20763000
106	Other expenditure pertaining to Women and Child Development Department	Revenue	12297913000	4467000	12302380000
		Capital	763769000	0	763769000
107	Climate Change Department	Revenue	5950000	0	5950000
108	Other expenditure pertaining to Climate Change Department	Revenue	430667000	0	430667000
		Revenue	576515062000	102116562000	678631624000
	Total :	Capital	215691828000	37207637000	252899465000
	Grand Total :		792206890000	139324199000	931531089000

STATEMENT OF OBJECTS AND REASONS

Article 204 (1) of the Constitution of India requires that as soon as may be after the grants have made by the Assembly, there shall be introduced a Bill to provide for the Appropriation out of the Consolidated Fund of the State, of all moneys required to meet-

- (a) the grants so made by the Assembly, and
- (b) the expenditure charged on the Consolidated Fund of the State but not exceeding in any case the amount shown in the Statement previously laid before the Legislative Assembly.

The Bill accordingly specifies the gross amount required to meet grants made by the Assembly and the expenditure charged on the Consolidated Fund of the State for the financial year ending on the 31st March, 2015.

The amounts are shown below:-

(a)	Revenue Expenditure	6,78,63,16,24,000
(b)	Capital Expenditure	2,52,89,94,65,000
Total :		<u>9,31,53,10,89,000</u>

Dated the 25th July, 2014.

SAURABH PATEL.

By order and in the name of the Governor of Gujarat,

ARVIND AGARWAL.

Principal Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gandhinagar,
Dated the 25th July, 2014.

Extra No. 25



सत्यमेव जयते

REGISTERED No. L 2/RNP/G/GNR-84

वार्षिक खवाजमनो दर रु. 3000/-



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT EDUCATIONAL INSTITUTIONS SERVICES TRIBUNAL (AMENDMENT AND VALIDATION) BILL, 2014.

GUJARAT BILL NO. 25 OF 2014.

A BILL

further to amend the Gujarat Educational Institutions

Services Tribunal Act, 2006.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Educational Institutions Services Tribunal (Amendment and Validation) Act, 2014.

Short title and
commencement.

(2) It shall be deemed to have come into force on the 25th September, 2014.

Amendment of
section 2 of Guj.
20 of 2013.

2. In the Gujarat Educational Institutions Services Tribunal Act, 2006 (hereinafter referred to as "the principal Act"), in section 2,-

Guj. 20 of 2013.

(i) after clause (j), the following clause shall be inserted, namely:-

"(jj) "Schedule" means Schedule appended to this Act;";

(ii) for clause (m), the following clause shall be substituted, namely:-

"(m) "University" means the University established by an Act of the State Legislature as specified in Schedule I and such other Universities as may be included in the said Schedule by the notification published in the *Official Gazette*, by the State Government."

Amendment of
section 4 of Guj.
20 of 2013.

3. In the principal Act, in section 4, in sub-section (1), to clause (a), the following proviso shall be inserted, namely:-

"Provided that no appointment of a judicial member shall be made except with the concurrence of the Chief Justice of the High Court of Gujarat;".

Amendment of
section 6 of Guj.
20 of 2013.

4. In the principal Act, in section 6, to sub-section (2), the following proviso shall be added, namely:-

"Provided that in case of a judicial member, no other duly qualified person shall be appointed except with the concurrence of the Chief Justice of the High Court of Gujarat."

Amendment of
section 7 of Guj.
20 of 2013.

5. In the principal Act, in section 7, -

(i) in clause (v), in the proviso, for the words "no member", the words "no administrative member" shall be substituted;

(ii) after the existing proviso, the following provisos shall be inserted, namely:-

"Provided further that the State Government shall not terminate the appointment of any judicial member except with the concurrence of the Chief Justice of the High Court of Gujarat for any of the reasons provided in clauses (i) to (iv) :

Provided also that no judicial member shall be removed from his office on the ground of proved misbehavior except after an inquiry made by the Judge of the High Court of Gujarat, to be nominated by the Chief Justice in which such member had been informed of the charge against him and given reasonable opportunity of being heard in respect of such charge."

6. In the principal Act, for section 9, the following section shall be substituted, namely: -

Substitution of section 9 of Guj. 20 of 2013.

Jurisdiction of Tribunal.

“9. The Tribunal shall have jurisdiction to entertain and decide application made under section 11 and section 12 and the cases transferred to it under section 23.”

7. In the principal Act, for section 11, the following section shall be substituted, namely: -

Substitution of section 11 of Guj. 20 of 2013.

Application.

“11. (1) An employee aggrieved by the order or decision of the educational institution which is connected with the conditions of service of such employee or, as the case may be, the educational institution, may within a period of sixty days from the date of such order or decision, make an application to the Tribunal for the redressal of the grievance.

(2) Notwithstanding anything contained in sub-section (1), the Tribunal may entertain an application made to it after the expiry of the period of sixty days, if it is satisfied that the applicant has sufficient cause for not making the application within the said period.”

8. In the principal Act, after section 11, the following section shall be inserted, namely: -

Insertion of new section 11A in Guj. 20 of 2013.

Application not to be entertained unless other remedies exhausted.

“11A. (1) The Tribunal shall not entertain an application referred to in section 11 unless it is satisfied that the applicant had availed of all the remedies available to him under any law or under the relevant service rules as to the redressal of grievances.

(2) For the purposes of sub-section (1), the applicant shall be deemed to have availed of all the remedies available to him-

(a) if a final order has been made by the authority competent to pass such order rejecting any representation made or appeal preferred by such applicant in connection with the grievance; or

(b) where no final order has been made by the authority competent to pass such order with regard to the representation made or appeal preferred by such applicant, if a period of six months from the date on which such representation was made or appeal was preferred has expired:

Guj. of 2014.

Provided that such period of six months, in case of appeal or representation which is pending before the concerned authority for decision on the date of commencement of the Gujarat Educational Institutions Services Tribunal (Amendment and Validation) Act,

2014, shall commence from the date of coming into operation of the said Act.”.

Amendment of
section 24 of Guj.
20 of 2013.

9. In the principal Act, in section 24, for the word “Schedule”, the word and figures “Schedule II” shall be substituted.

Insertion of new
Schedule in Guj.
20 of 2013.

10. In the principal Act, the existing Schedule shall be renumbered as Schedule II and before Schedule II, as so renumbered, the following Schedule shall be inserted, namely:-

“SCHEDULE I
(See section 2 (m))

Sr. No.	Act of State Legislature	No. and Year of Act
(1)	(2)	(3)
1.	The Gujarat University Act, 1949.	Bom. L of 1949.
2.	The Maharaja Sayajirao University of Baroda Act, 1949.	Baroda Act No. XVII of 1949.
3.	The Sardar Patel University Act, 1955.	Bom. XL of 1955.
4.	The Veer Narmad South Gujarat University Act, 1965.	Guj. 38 of 1965.
5.	The Saurashtra University Act, 1965.	Guj. 39 of 1965.
6.	The Maharaja Krishnakumarsinhji Bhavnagar University Act, 1978.	Guj. 26 of 1978.
7.	The Hemchandracharya North Gujarat University Act, 1986.	Guj. 22 of 1986.
8.	The Dr. Babasaheb Ambedkar Open University Act, 1994.	Guj. 14 of 1994.
9.	The Krantiguru Shyamji Krishna Verma Kachchh University Act, 2003.	Guj. 5 of 2003.
10.	The Shree Somnath Sanskrit University Act, 2005.	Guj. 25 of 2005.
11.	The Gujarat Technological University Act, 2007.	Guj. 20 of 2007.
12.	The Children’s University Act, 2009	Guj. 15 of 2009.
13.	The Indian Institute of Teacher Education, Gujarat Act, 2010.	Guj. 8 of 2010.
14.	The Institute of Infrastructure, Technology, Research And Management Act, 2012.	Guj. 5 of 2013.”.

11. (1) Notwithstanding any judgment, decree or order of any court, no appointment of any person as a judicial member of the Tribunal made before the commencement of this Act without the concurrence of the Chief Justice of the High Court of Gujarat, shall be deemed to be illegal or void or ever to have become illegal or void by reason only of the fact that such appointment was not made in accordance with the provisions of the principal Act as amended by this Act.

Validation of appointment of, and judgments or orders delivered by the judicial member. Repeal and savings.

(2) No jurisdiction exercised, no judgment or order passed or made, and no other act or proceeding done or taken, before the commencement of this Act by, or before, any person appointed, posted, as a Judicial Member of the Tribunal otherwise than in accordance with the provisions of this Act, shall be deemed to be illegal or invalid or ever to have become illegal or invalid by reason only of the fact that such appointment or posting, was not made in accordance with the provisions of the principal Act as amended by this Act.

12. (1) The Gujarat Educational Institutions Services Tribunal (Amendment and Validation) Ordinance, 2014 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Educational Institutions Services Tribunal Act, 2006. Sub-section (2) of section 3 provides for the appointment of such number of judicial as well as administrative members as may be appointed by the State Government in the Gujarat Educational Institutions Services Tribunal. Section 4 of the said Act *inter alia* provides for the appointment of a judicial officer who is or has been a District Judge for atleast three years. Section 6 provides for temporary appointment of the judicial as well as the administrative member of the Tribunal. Section 7 provides for the termination of the appointment of the judicial as well as the administrative member of the Tribunal. The provisions of the said Act do not at present provide for either appointment or removal of a judicial member with the concurrence of the Chief Justice of the High Court of Gujarat. It is considered necessary that appointment or removal of a judicial member should take place in concurrence of the Chief Justice of the High Court of Gujarat. Therefore, the provisions of sections 4, 6 and 7 are suitably amended.

It is also considered necessary that the provisions of section 11 should be more specific and unambiguous and therefore the provisions of section 11 are suitably amended and a new section 11A is also inserted.

Since the existing provisions of the said Act do not provide for the concurrence of the Chief Justice of the High Court of Gujarat for appointment of a judicial member, a provision in clause 11 of this Bill is made so as to validate the appointment of a judicial member already made prior to coming into force of this Act. A provision is also made to validate the judgments or the orders passed by the judicial member in any proceedings who has been appointed otherwise than in accordance with the provisions of the principal Act as amended by this Act.

An opportunity has also been taken to make certain consequential amendments in the said Act.

As the Gujarat Legislative Assembly was not in session at that time, the Gujarat Educational Institutions Services Tribunal (Amendment and Validation) Ordinance, 2014 was promulgated on the 25th September, 2014 to amend the said Act to achieve the aforesaid objects. This Bill seeks to replace the said Ordinance by an Act of the State Legislature.

BHUPENDRASINH CHUDASAMA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect:-

Clause 2.- Clause (m) of section 2 of the Act proposed to be substituted by sub-clause (ii) of this clause empowers the State Government to include by notification in the *Official Gazette*, the other Universities in the Scheduled I of the Act.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 21st October, 2014.

BHUPENDRASINH CHUDASAMA.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 21st October, 2014.

C. J. GOTH,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT AGRICULTURAL UNIVERSITIES (SECOND AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 26 OF 2014.

A BILL

further to amend the Gujarat Agricultural Universities Act, 2004.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Agricultural Universities (Second Amendment) Act, 2014.

Short title.

Guj. 5 of
2004.

2. In the Gujarat Agricultural Universities Act, 2004, in section 10, in sub-section (1), in clause (b), for the words "sixty-five years", the words "seventy years" shall be substituted.

Amendment
of section 10
of Guj. 5 of
2004.

V-Ex.,-26-1

26-1

STATEMENT OF OBJECTS AND REASONS

Section 10 of the Gujarat Agricultural Universities Act, 2004 provides for the appointment of the Vice-Chancellor of the University. Clause (b) of sub-section (1) of the said section *interalia* provides for the qualifications and age limit of a person who may be appointed as the Vice-Chancellor. Accordingly, a person who has attained the age of more than sixty-five years on the date of appointment is not eligible for appointment as the Vice-Chancellor. Since the Vice-Chancellor of the University can continue to hold his office till he attains the age of seventy years under clause (a) of proviso to sub-section (4) of section 10, it is considered necessary to amend the age limit of sixty-five years specified in clause (b) of sub-section (1) of the said section 10, to seventy years.

This Bill seeks to amend the said Act to achieve the aforesaid object.

Dated the 27th October, 2014.

BABUBHAI BOKHIRIA.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 28th October, 2014.

C. J. GOTH,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Extra No. 27



REGISTERED No.L2/RNP/ G/GNR-84

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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT LOCAL AUTHORITIES LAWS (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 27 OF 2014.

A BILL

*further to amend the Gujarat Provincial Municipal Corporations Act, 1949,
the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act,
1993.*

It is hereby enacted in the Sixty-fifth Year of the Republic of India
as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2014. Short title and commencement.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

V-EX.- 27-1

27-1

Amendment of
section 10 of
Bom. LIX of
1949.

2. In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the Municipal Corporations Act"), in section 10, in sub-section (1), after clause (h), the following clause shall be inserted, namely:-

Bom. LIX of
1949.

"(hh) has no facility of water closet or privy accommodation at the place of his ordinary residence:

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the Municipal Commissioner, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the concerned Deputy Municipal Commissioner of the Corporation in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence;"

Guj. of 2014.

Amendment of
section 15 of Bom.
LIX of 1949.

3. In the Municipal Corporations Act, in section 15, in sub-section (1), for the words "three months", the words "six months" shall be substituted.

Amendment of
section 11 of Guj.
34 of 1964.

4. In the Gujarat Municipalities Act, 1963, in section 11, in sub-section (1), after clause (f), the following clause shall be inserted, namely:-

Guj. 34 of
1964.

"(ff) has no facility of water closet or privy accommodation at the place of his ordinary residence :

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the District Collector, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Chief Officer of the concerned Municipality in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Guj. of
2014.

Explanation.- For the purpose of this clause, "water closet or privy accommodation" shall have the same meaning as is given to the term "water closet" in Explanation to section 167A of the Act;"

Amendment of
section 7 of
Guj. 18 of 1993.

5. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the Panchayats Act"), in section 7, in sub-section (1), for the words "fifteen thousand", the words "twenty-five thousand" shall be substituted.

Guj. 18 of
1993.

Amendment of
section 9 of
Guj. 18 of 1993.

6. In the Panchayats Act, in section 9,-

(a) in sub-section (4), for the words "one thousand", the words "three thousand" shall be substituted;

(b) to sub-section (4), the following proviso shall be added, namely:-

“Provided that the amendment made in this sub-section by the Gujarat Local Authorities Laws (Amendment) Act, 2014 shall not have effect till the expiration of duration of any village panchayat, unless sooner dissolved.”.

Guj. of 2014.

7. In the Panchayats Act, in section 30, in sub-section (1), after clause (k), the following clause shall be inserted, namely:-

Amendment of
section 30 of
Guj. 18 of 1993.

“(kk) has no facility of water closet or privy accommodation at the place of his ordinary residence:

Provided that a sitting member shall be deemed to have incurred disqualification if he does not submit to the Taluka Development Officer of the taluka, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Gram Panchayat Mantri of the panchayat in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Guj. of 2014.

Explanation.- For the purpose of this clause, “water closet or privy accommodation” shall have the same meaning as is given to the term “water closet” in Explanation to section 107 of the Act;”.

STATEMENT OF OBJECTS AND REASONS

Defecation in open by the public both in urban and rural areas and the resultant adverse effects of the same has been a subject of national debate in the recent times. Both the Central Government and the State Governments and the intelligentsia and public at large are fully concerned about this social menace. It is undisputed that various diseases like Cholera, Diarrhea etc. spread from the unclean places where such open defecation takes place. Curbing such open defecation is vital from the point of view of creating hygienic conditions and cleanliness and preventing water contamination. Particularly the female members find themselves in a shameful condition for compulsory resorting to such open defecation. Even the Prime Minister of India has emphasized the need of a toilet in the habitation itself in his speech on the Independence Day. Thus, the need of a toilet in the house itself can hardly be over emphasized. The Central, the State Governments and the local-self Governments have taken administrative measures to make the people aware about the need of the toilet in the habitation itself and have launched a drive to provide toilet facility to the families by giving incentives in the form of financial assistance for construction of the toilet at the place of their habitation. However, it is felt that such administrative measures alone are not enough and some legislative measures are required and seem inevitable to yield the desired results in a time bound manner.

In view of this, it is considered necessary to make provisions in the Gujarat Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993 to the effect that the persons who do not have water closet or privy accommodation facility at their place of habitation cannot become Councillor of the Municipal Corporation or the Municipality or the member of the Panchayat, as the case may be. Such provisions will have a great impact on the people who wish to contest the elections and shall bring awareness not only to themselves but would also have bearing in mind of the other people to have water closet or privy accommodation facility at the place of their habitation.

It is, therefore, considered necessary to amend the relevant provisions of the aforesaid three Acts and make a provision to the effect that the person who does not have the toilet facility at the place of his ordinary residence cannot become a Councillor or a member of the municipal corporation, municipality or the panchayat, as the case may be. Provision is also made for sitting Councillors and members that they shall have to submit to the concerned authority, a certificate within a period of six months from the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, obtained from such officer as provided in the said amending Act, 2014 to the effect that they have toilet facility at the place of their ordinary residence so as not to incur the disqualification.

Sub-section (1) of section 15 of the Gujarat Provincial Municipal Corporations Act, 1949, *inter-alia* provides for filling up of the casual vacancy in the office of a Councillor as soon as conveniently may be and in any case within three months of the date on which it is known that such vacancy has occurred. However, in so far as a Municipality is concerned, the casual vacancy therein can be filled in within a period of six months from the date on which

such vacancy has arisen. To bring the provisions of the Gujarat Provincial Municipal Corporations Act, 1949 in parity with the provisions of the Gujarat Municipalities Act, 1963 in this regard, it is proposed to amend section 15 of the Gujarat Provincial Municipal Corporations Act, 1949 to the effect that the casual vacancy can be filled within a period of six months.

Under the existing provisions of sub-section (1) of section 7 of the Gujarat Panchayats Act, 1993, the competent authority can recommend to the State Government any local area for being specified a village for the purposes of said Act, if the population of such local area does not exceed fifteen thousand. The said limit of fifteen thousand was based on the basis of figures of Census 1991. Now, the figures of Census 2011 have been published and considering the figures of the said Census, it appears that the population of the villages has grown considerably and therefore the present limit of population of fifteen thousand of any local area for being specified as a village seems necessary to be raised to twenty-five thousand.

Sub-section (4) of section 9 of the Gujarat Panchayats Act, 1993 provides for as to how the number of members of the village panchayat depending upon the population of the village shall be decided. In order to see that a village panchayat after the present limit of population of fifteen thousand of any local area for being specified as a village is raised to twenty-five thousand does not have a very large number of members and that such number is kept at appropriate level, the provision of sub-section (4) of section 9 of the said Act is proposed to be amended suitably.

This Bill seeks to amend the said Acts to achieve the aforesaid objects.

NITIN PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect:-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 27th October, 2014.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

C.J. GOTH,

Gandhinagar,

Dated the 28th October, 2014.

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT WATER SUPPLY AND SEWERAGE BOARD (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 28 OF 2014.

A BILL

*further to amend the Gujarat Water Supply and
Sewerage Board Act, 1978.*

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Water Supply and Sewerage Board (Amendment) Act, 2014. Short title and commencement.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.
2. In the Gujarat Water Supply and Sewerage Board Act, 1978 (hereinafter referred to as "the principal Act"), in section 1, in sub-section (2), the words "cities and" shall be deleted. Amendment of section 1 of Guj. 18 of 1979.

Guj. 18 of 1979.

Amendment of
section 2 of Guj.
18 of 1979.

3. In the principal Act, in section 2, -

(1) for clause (vi), the following clause shall be substituted,
namely:-

“(vi) “City” means the City as defined under clause (8) of
section 2 of the Gujarat Provincial Municipal
Corporations Act, 1949;”;

Bom. LIX of
1949.

(2) in clause (xv), for the words “a municipality”, the words “a
municipal corporation, a municipality” shall be substituted;

(3) after clause (xviii), the following clause shall be inserted,
namely:-

“(xviii-a) “municipal corporation” means the Municipal
Corporation of the City;”;

(4) in clause (xxvii), before sub-clause (a), the following sub-clause
shall be inserted, namely :-

“(a-i) in relation to a municipal corporation, the Gujarat
Provincial Municipal Corporations Act, 1949;”.

Bom. LIX of
1949.

Amendment of
section 39 of Guj.
18 of 1979.

4. In the principal Act, in section 39, sub-section (3) shall be
deleted.

STATEMENT OF OBJECTS AND REASONS

At present the Gujarat Water Supply and Sewerage Board Act, 1978 is applicable to the Municipalities and Panchayats only and is not applicable to the areas of the Municipal Corporations. In the last few years the areas then comprising of the Municipalities or the Panchayats, as the case may be, have been included in the areas of the Municipal Corporations. The Board constituted under the said Act also receives various representations for undertaking the water supply and sewerage schemes in the areas comprising of the Municipal Corporations. However, the Board is not able to undertake such schemes owing to non-applicability of the said Act to the areas of the Municipal Corporations.

In view of above, the State Government is of the view that the provisions of the said Act should also be made applicable to the areas of the Municipal Corporations so that the Board can undertake the functions assigned to it under the said Act including the water supply and sewerage schemes more effectively in these areas with its expertise knowledge in the field.

This Bill seeks to amend the said Act to achieve the aforesaid object.

BABUBHAI BOKHIRIA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in the following respect:-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 27th October, 2014.

BABUBHAI BOKHIRIA.

By order and in the name of the Governor of Gujarat,

C. J. GOTH,

Gandhinagar,
Dated the 28th October, 2014.

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT FORENSIC SCIENCES UNIVERSITY (AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 29 OF 2014.

A BILL

further to amend the Gujarat Forensic Sciences University Act, 2008.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Forensic Sciences University (Amendment) Act, 2014. Short title.

Guj. 17 of 2008.

2. In the Gujarat Forensic Sciences University Act, 2008, in section 8, -

Amendment of
section 8 of Guj.
17 of 2008.

- (1) in sub-section (2), in clause (iii), for the words "sixty-five years", the words "seventy years" shall be substituted;
- (2) for sub-section (3), the following sub-section shall be substituted, namely :-

"(3) The Director General shall hold office for a term of three years and shall be eligible for re-nomination for more than one term."

STATEMENT OF OBJECTS AND REASONS

Section 8 of the Gujarat Forensic Sciences University Act, 2008 (Guj. 17 of 2008) provides for the appointment and other terms and conditions for appointment of the Director General of the University. Under the existing provisions of the Act, a person who has not attained the age of sixty-five years can be appointed as the Director General of the University and the person who has been appointed as the Director General is eligible for re-nomination only for one more term.

It is felt that the age should not pose any problem for appointment of a deserving and suitable person as the Director General of the University. It is, therefore, considered necessary to increase the age limit of "sixty-five years" to "seventy years" for the appointment of the Director General. It is also considered necessary to remove the embargo of re-nomination of the Director General for only one term.

This Bill seeks to amend the said Act to achieve the aforesaid object.

Dated the 28th October, 2014.

RAJANIKANT PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 28th October, 2014.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.



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PART - V

Bills introduced in the Gujarat Legislative Assembly.

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT PRIVATE UNIVERSITIES (SECOND AMENDMENT) BILL, 2014.

GUJARAT BILL NO. 30 OF 2014.

A BILL

further to amend the Gujarat Private Universities Act, 2009.

Guj. 8 of 2009.

WHEREAS the G S F C Education Society, Vadodara had applied to the State Government under the provisions of the Gujarat Private Universities Act, 2009 to establish a Private University in the State;

AND WHEREAS the said application has been scrutinized by the Scrutiny Committee and on the report of Scrutiny Committee, the State Government has issued the letter of intent to the sponsoring body for establishment of the Private University;

AND WHEREAS the State Government is satisfied that the sponsoring body has complied with the conditions of letter of intent as provided in section 10 of the said Act and has also established the Endowment Fund as per the letter of intent;

NOW, THEREFORE, the Government of Gujarat, in accordance with the provisions of section 10 of the said Act, includes the institution specified in column 2 of the Schedule as the Private University, by the name and location of the aforesaid sponsoring body as specified in column 4 of the Schedule.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Private Universities (Second Amendment) Act, 2014.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of Schedule to Guj. 8 of 2009.

2. In the Gujarat Private Universities Act, 2009, in the Schedule, after the entry at serial No. 14, the following entry shall be inserted, namely:-

Guj. 8 of 2009.

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number.	Sponsoring Body.
1.	2.	3.	4.
"15.	G S F C University, Vadodara.	Trust Registration – Vadodara, No. F-2607-Vadodara (under the Gujarat Public Trusts Act, 1950). Society Registration – Vadodara, No. Gujarat-2924, Vadodara (under the Societies Registration Act, 1860).	G S F C Education Society, Vadodara – 391 750."

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Private Universities Act, 2009 (Guj. 8 of 2009) to provide for establishment of Private Universities in the State so as to provide for qualitative and industry relevant higher education and to regulate their functions under which in all fourteen Private Universities have been established so far.

The State Government has received a proposal from G S F C Education Society, Vadodara for establishment of the G S F C University, Vadodara as a Private University. The said proposal has been considered by the State Government and since the said sponsoring body has complied with the provisions of the Act, it is considered necessary to include the name of said University in the Schedule to the Act, thereby conferring it the status of Private University.

This Bill seeks to amend the said Act to achieve the aforesaid object.

BHUPENDRASINH CHUDASAMA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves the delegation of legislative power in following respect:-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 29th October, 2014. **BHUPENDRASINH CHUDASAMA**

By order and in the name of the Governor of Gujarat,
Gandhinagar, **C. J. GOTHI,**

Dated the 29th October, 2014

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Government Central Press, Gandhinagar.